By the same Author

I REFER TO INDIA
THE PROBLEM OF INDIA (With B. SHIVA RAO)

INDIA IN TRANSITION

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Vice-Chairman and Hon. Secretary of the British Committee on Indian and Burman Affairs; Member of the Burma Round Table Conference

With a Foreword by

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Late Secretary of State for India

PUBLISHED BY LEONARD AND VIRGINIA WOOLF AT THE HOGARTH PRESS, 52 TAVISTOCK SQUARE, LONDON, W.C.1

1932

FIRST PUBLISHED 1932.

MADE AND PRINTED IN GREAT BRITAIN BY
THE GARDEN CITY PRESS LTD, LETCHWORTH, HERTS.

FOREWORD

By The Rt. Hon. Wedgwood Benn, D.S.O., D.F.C.,
(Late Secretary of State for India)

Major Graham Pole has produced a book which, while it contains a mass of solid information, is very easy and pleasant to read. These qualities must be attributed to the author's wide first-hand knowledge of the real India and especially to his understanding and sympathetic appreciation of her political demand.

The case of India differs historically from those of Ireland and South Africa in that no political party in Great Britain is found openly to oppose the claim to Dominion Status. The real division, and it is very real, is as to facts and as to methods.

As to facts: there are those on the one hand who regard the many differences of race, creed and class as an almost permanent bar to a self-governing India ; and those who see in the unifying passion of Nationalism a force which must submerge even communal divisions and fit India for her place among the Dominions. It must be added that the real enemies of India's claims—and they are many—exploit these differences to achieve an end they dare not avow.

As to methods: there are those who cling to the preamble of the Act of 1919, and those who recognise, what is indeed the fact, that the meeting of the First Round Table Conference established relations of equality in dealing with India and destroyed for ever the tutorial plan so offensively and indeed uselessly laid down in that preamble.

The position to-day of the British administration in India is difficult. Co-operation must be the keynote of policy and yet to secure it requires infinite patience and sympathy. There is a party of Indian nationalists who do not desire understanding. They eagerly wish to destroy it. They find a counterpart among the British. How fatally easy it is to walk into this trap and to undo in a few weeks a task of reconciliation which has been the labour of years. This "firmness" not only sows seeds of bitterness which, as we see in Ireland, may blossom after many years, but renders almost impossible the active co-operation of Indians in the framing of the new constitution.

The problem is essentially a practical one. We must find Indian shoulders to bear the burden of Government. We must therefore have Indian advice as to fitting it to Indian shoulders and, moreover, we must find Indians willing to assume it with the assent of their fellow-countrymen. Otherwise the new constitution means either chaos or reversion to pure emergency rule.

Somehow, therefore, we must revert to the method of conference, and administrative policy should be shaped to that end.

It cost much labour to assemble in the summer of 1931 a comprehensive conference, long neglected during the election and then light-heartedly dismissed. A representative conference must meet again with two purposes.

(1) To place before the British Parliament India's real demand. Congressmen and Moderates alike are asking far more than the Government has shown any willingness to concede.

(2) To attempt to secure by an understanding statesmen willing and able to carry the burden of Government under the new constitution.

No bureaucratic draft, however industrious and full of paper safeguards, will do. (We may remember the

Government of Ireland Act of 1920.) A Bill which pretends to give Swaraj, and in fact denies it, is a real danger. To create new political forces without loading them with responsibility will mean a return to dictatorial powers without effective means of enforcing them. Nothing will do now, if indeed it is not already too late, but the gift of real responsibility.

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INTRODUCTION

FOR many years some of us worked hard to get the British public to take any interest whatever in India, for the rule of whose three hundred and fifty million inhabitants they are responsible. India fifteen or twenty years ago was not " news," and until the War it was impossible to read anything about it in the British Press unless of course there happened to be some riot or bloodshed in some part of that great sub-continent. Things have changed vastly since then, as my daily Press cuttings show, but there is still a woeful amount of ignorance—not merely about India itself, but about the various happenings both here and in India that for good or ill change the course of events there.

It is impossible to understand clearly the trend of events in India unless one follows intelligently their historical sequence both in this country and in India. One then begins to see clearly how one thing inevitably leads on to another.

My endeavour has been to make an historical survey of recent events, of necessity very incomplete, but sufficient, I hope, to give the reader a fair grasp of the realities with which we are confronted and to afford an understanding to some extent of India to-day. The only way really to understand is to try to see events as they present themselves to Indians.

Several Indian Commissions, Committees and Conferences of first-class importance have met and reported in the last year or two. These include the Indian Statutory Commission, presided over by Sir John Simon, and the Royal Commission on Labour in India, presided

over by the Rt. Hon. J. H. Whitley. The India Round Table Conference has also met twice in London, and in addition the Burma Round Table Conference has met and reported. These are all dealt with in the present volume, as is also the Royal Commission on Agriculture in India, presided over by theMarquess of Linlithgow.

There seems to be some cruel fate dogging the footsteps of all Indian reforms. No sooner are these announced, and the preparations for them begun, than for one reason or another the ordinary law of the land is suspended and a reign of repression is started in India. The Government of India Act, 1919, was tremendously hampered by the tragedy of Armitsar and by the Rowlatt Act, with its detentions, restraints, and restrictions of persons suspected of being associated with revolutionary movements. The Round Table Conference is jeopardised by the Ordinances under which India to-day is governed. These Ordinances again practically suspend the ordinary law of the land and make well-nigh impossible negotiations for the inauguration of self-respecting self-government.

The figures in this book are taken from last year's (1931) Census. The increase in population in India during the past decade has been very remarkable, amounting to over ten per cent. The increase in the Anglo-Indian population was nearly twenty-four per cent., while the figures for Europeans remained more or less stationary.

I must express my great indebtedness to Mr. Charles Barns, the Press Secretary of the British Committee on Indian and Burman Affairs, for the immense amount of research work he has done in the preparation of material, and to Miss Rhoda Vickers, the Secretary of that Committee, for so ably assisting in the bringing out of this volume.

D. GRAHAM POLE.

Palace Chambers, Westminster, S.W.1.

June 1932.

Chapter I

HOW INDIA IS GOVERNED

Responsibility of British Electors

We have all heard, time and again, that we in Great Britain are trustees for the " voiceless millions " of India. The chief duty of a trustee is to study the interests of his ward and act consistently in accordance with those interests. Anyone who puts his own interest before that of his ward is guilty of a breach of trust. It is not the Viceroy and the Government of India, but the electors in Great Britain who are the responsible trustees. These officials are merely the servants of the British electors. We are responsible for the orders they give and for the manner in which they are carried out.

People of India first consideration

How have we tried to carry out our trust ? How many of us have tried to study India from the Indian point of view ? And how many of us believe and act on the belief that the primary consideration for all our actions in connection with the government of India must be, not the benefit of British traders or Civil Servants, but the good of the people of India ? We have assumed a trust unasked. We are all the more responsible for its due fulfilment.

India Neglected in Parliament

The ordinary elector believes that he can leave the Government of India and the understanding of its prob-

lems to his Member of Parliament. But as I have had many opportunities of discovering, the last thing in which the majority of Members of Parliament take any interest is India. They do not study the problems of India, and for the electors to attempt to transfer their burden to the shoulders of their Members of Parliament without any indication of the policy they should adopt, is only to shirk responsibility.

Criminal Negligence

Although India contains one-fifth of the population of the whole world, it used to be customary in the British Parliament to give only one day in the year for the discussion of the Indian Budget and of the Secretary of State's Report on the MORAL AND MATERIAL PROGRESS of that great sub-continent. There have been sessions when there was not found time even for a single day's discussion of Indian affairs. For instance, I remember being present in 1928 when the Indian Debate (such as it was) was crushed into about two and a half hours, beginning after ten o'clock on an August night, in a nearly empty House of Commons—the last night before Parliament was prorogued. This was not merely farcical; it was criminal negligence.

The Council of India

The Secretary of State at Whitehall is the ultimate authority in all Indian matters. He is "advised" by his Council, a body of men many of whom have grown grey in India and have retired to enjoy their pensions. The Council is not necessarily consulted, however, on all matters of importance.

Take, for example, the appointment of the Statutory Commission in 1928, presided over by Sir John Simon. The Secretary of State (Lord Birkenhead) did not consult his Council on this matter. The first information

they had was an intimation, six days before the public announcement was made, of the names of the members of the Commission—names that were actually published in newspapers in India before being communicated to the members of the Secretary of State's Council at Whitehall.

Secretary of State's Authority

Sir Tej Bahadur Sapru, who writes with authority as one who knows the inside working of the Government of India, having served for over two years as Law Member in the Viceroy's Executive Council (the Cabinet of the All-India Government), has put it on record that "so far as the Government of India is concerned, there is scarcely a piece of important legislation which is not previously reported to the Secretary of State either by dispatch or by cablegram, even when his previous sanction is not sought."[1]

Even with regard to Indian provincial legislation the same authority tells us that though the Secretary of State does not come in directly, the Governor-General's subordination to him gives him a powerful voice, if not a palpable control.[2]

Whitehall out of Touch

I have remarked to Indian Civil Servants, who have agreed with me, that the personnel of the India Office at Whitehall is not closely enough in touch with present-day India. I have suggested to them instead of having officials who spend most of their lives in Whitehall, studying reports, memoranda and dispatches, it would be better to bring home from India younger men who were in touch with the actual state of the districts and with

[1] *The Indian Constitution*, by Sir Tej Bahadur Sapru, K.C.S.I., LL.D., p. 25.
[2] *Ibid.*, p. 28.

the people of India, keep them for a couple of years, and replace them by others.

This view, I find, is corroborated by Sir Walter Lawrence in a somewhat similar suggestion contained in his book.[1] He writes: "I used to think that it would have been well if the Civil Servants of the India Office could be deputed for a few years to the East, so as to get the atmosphere and the poise that cannot be learnt from books and reports."

The District Collector

The method of governing India, like the British Constitution, was not planned. Like Topsy, it "just growed." The East India Company used to put an administrator in charge of a district. He collected the taxes, administered justice, and, in short, combined in his own person all the judicial and executive functions of government. To a great extent the same system has been continued by the Government of India through the Indian Civil Service to this day.

The Real Governors of India

Mr. Ramsay MacDonald's description[2] of the system is in these words: "The real Governors of India are the Commissioners and District Collectors, who are administrators and judges in one, and who are supported in all their doings by the whole system to which they belong, and which recognises them as being itself. On the Government and administrative authorities representatives of the subjects have been in a minority; their powers of criticism have been strictly confined within the narrowest limits; Government officials have held the offices which carried real power."

[1] *The India We Served*, by Sir Walter Lawrence, Bart., G.C.I.E., etc.

[2] *The Awakening of India*, by the Rt. Hon. J. Ramsay MacDonald, p. 190.

It is not a good method. No one defends it. It is universally condemned, even by those who have to administer it. Commission after Commission has recommended the separation of the judicial and executive functions, but it " never is, but always is to be " done.

It is almost unbelievable that in two successive years questions in Parliament on this matter could be treated in the flippant manner shown in the following extracts from *Hansard*:

On March 14th, 1927, in the House of Commons, Mr. G. C. Ammon, M.P., asked the Under-Secretary of State for India " whether, seeing that the question of the separation of the judicial functions from those of the executive had been engaging the attention of His Majesty's Government and the Government of India for the past eighty or ninety years and that schemes have been worked out on various occasions with that end in view, he could state if the Government were in a position to make a definite decision on the matter." To this Lord Winterton replied that the Government of India was *still* awaiting the proposals of certain local Governments on this very difficult question and that it would not be possible to make a decision until those had all been considered. When Mr. Ammon very naturally asked whether the noble Lord was suggesting that eighty years was not sufficiently long enough to have got the opinion of these Governments, the Under-Secretary of State for India was content to raise an easy laugh with the remark that the hon. Member must remember the saying that " you cannot hustle the East."[1]

Amazing Parliamentary Answers

Exactly a year later—on Monday, March 12th, 1928, Mr. Ammon again raised the question. On this occasion his question was rather more exhaustive, and he

[1] *Hansard*, Vol. 203, No. 25, Cols. 1614, 1615.

The I.C.S.

Meanwhile the actual Government in India remains in the hands of some thousand odd members of the Indian Civil Service, who grow more and more immersed in innumerable official files, and less and less in touch with the people of India. In fact, as an Indian Civil Servant advances in seniority, he loses touch with the people—and deals almost entirely with files.

And the higher he goes and the less he is in touch with the people governed, the more hand has he in the framing of rules and regulations that affect them at every moment of their lives.

How it Strikes an Indian

How the present position strikes the Indian mind is well expressed in the Report of the All-Parties' Conference adopted at Lucknow on August 29th, 1928. I quote their words at length because of their accurate summary of the situation and the clarity of their exposition :

" The real problem, to our mind, consists in the transference of political power and responsibility from the people of England to the people of India.

" How do the people of England discharge their responsibility towards India at present ? The average British voter knows little of India and has no time for India. He sends a certain number of representatives to Parliament, who are divided into parties or groups, most of them supremely ignorant about India, and they have an abiding faith that the Secretary of State for India, on whom they have by statute conferred certain powers, is there to look after the interests of India. The Secretary of State in his turn is generally a politician who has no first-hand knowledge of India, and who must perforce derive his knowledge of Indian affairs either

from the Government of India, or from the members of his permanent staff, or from the members of the India Council. In other words, in actual practice, the sovereignty of Parliament is translated into the rule of the India Office. The first need, therefore, of India is the abolition of the rule of this coterie, which in recent years has been found, in several respects, to be disastrous to the best interests of India and to the freedom of the Government of India itself. The freedom of the Government of India, however, from the leading strings of the Secretary of State, necessarily postulates the transference of political power from the British voter to the Indian voter.

An Unnatural System

"Never before in the history of India has India been ruled by a distant sovereign body, which cannot exercise its powers directly, and which must, therefore, delegate its authority and power to its agents. Unnatural as the system would be in the case of any country, it cannot be endured indefinitely in a country like India, with its varied problems, social and economic, and more particularly when a new consciousness of its capacity, a new self-respect, and a new spirit of patriotism have given her a new motive power. Constitutionally, and as a matter of principle, therefore, we think that nothing short of full Responsible Government, based on a transference of political power to the people of India, can meet the situation."[1]

The Seat of Government

It is an impossible system whereby the real seat of Government is removed by six or seven thousand miles from the people governed, where the executive officials are not responsible to the people they govern but to a

[1] *All Parties Conference Report*, p. 9.

Secretary of State in another far-off Continent, and where the Government side of the Legislature is composed of officials of an alien race, who may be defeated by the unanimous vote of the representatives of the people, but who never dream of resigning, but simply go on as if nothing had happened.

India's International Standing

India was admitted to an original place in the League of Nations and to the Imperial Conference on apparent terms of equality with the Dominion Governments.

The difference between India's position and that of the Dominions is very well put by that eminent Indian statesman, Sir Sivaswamy Aiyer : " As a symbol of their right to a voice in foreign affairs the Self-Governing Colonies and India have been admitted to representation in the League of Nations and in the Imperial Conference. The difference, of course, in the representation of India and of the Self-Governing Colonies is that, while the delegates of the latter are chosen by a responsible Ministry, the delegates of the former are chosen by an irresponsible Government. In describing the Government of India as an irresponsible Government, I do not forget that it is responsible to the Imperial Parliament, but I wish to emphasise the fact that it is not responsible to the people whom it governs." [1]

Britain Speaks for India

India has been commonly represented at Geneva by a Secretary of State or other British Official from London, who is guided chiefly by his Whitehall advisers, and, in consequence, as Sir Sivaswamy Aiyer says : " India speaks not in her own voice, but in the voice of

[1] *Indian Constitutional Problems*, by Sir P. S. Sivaswamy Aiyer, K.C.S.I., C.I.E., pp. 9, 10.

Britain. The desire of Indians to be masters of their own household cannot be branded as seditious or disloyal, or construed as an indication of a spirit of antipathy to the British connection or the British race, any more than the desire for Responsible Government in the case of the great overseas Colonies."[1]

[1] *Indian Constitutional Problems*, by Sir P. S. Sivaswamy Aiyer, K C.S I., C.I.E., p. 353.

Chapter II

BRITISH POLICY IN INDIA

"It is the opportunity for self-government itself which gives training for self-government, not foreign subjection."

Rabindranath Tagore.

The Object of British Policy

British policy in India has been repeatedly stated to be a preparation of the Indian people to govern themselves. How have we succeeded? We have now been in India for nearly two centuries. If we argue that the Indians are still unfit for self-government, it is surely an argument against our own fitness to train them. Have we been exercising our functions as trustees in their interests or in our own? Are we entitled to appoint ourselves as judges of their fitness for self-government?

In his speech in the House of Lords the late Lord Birkenhead, when Secretary of State for India, spoke of the Simon Commission as a "jury" that was going out to India to examine the fitness of India for self-government.[1] But it may rightly be asked by Indians whether, if they are not yet fit for self-government after nearly two centuries of British rule and "preparation," it is we and not they who ought to be in the dock.

Queen Victoria's Proclamation

Ever since India became officially part of the British Empire there has been a theory, first enunciated by

[1] *Hansard*, Vol. 69, Col. 75, November 24th, 1927.

Queen Victoria in her Proclamation as Empress of India in 1857, and afterwards reiterated by succeeding Sovereigns, that Indians and British would have equal rights and opportunities. That Proclamation stated : " It is Our further will that, so far as may be, Our subjects, of whatever race and creed, be freely and impartially admitted to office in Our service, the duties of which they may be qualified by their education, ability and integrity duly to discharge. In their prosperity will be Our strength ; in their contentment Our security; and in their gratitude Our best reward."

A Viceroy on British Promises

The late Lord Lytton, when Viceroy of India, wrote in a Government of India Despatch to the Secretary of State on May 2nd, 1878 : " The Act of Parliament's undefined and indefinite obligations on the part of the Government of India towards its native subjects are so obviously dangerous that no sooner was the Act passed than the Government began to devise means for practically evading the fulfilment of it. Under the terms of the Act, which are studied and laid to heart by that increasing class of educated natives, whose development the Government encourages, without being able to satisfy the aspirations of its existing members, every such native, if once admitted to Government employment in posts previously reserved to the covenanted service, is entitled to expect and claim appointment in the fair course of promotion to the higher posts in that service.

A Damning Indictment

" We all know that these expectations never can, or will, be fulfilled. We have had to choose between prohibiting them and cheating them; we have chosen the least straightforward course. . . . Since I am writing

confidentially, I do not hesitate to say that both the Governments of England and of India appear to me, up to the present moment, unable to answer satisfactorily the charge of having taken every means in their power of breaking to the heart the words of promise they had uttered to the ear."

"Too late" is the epitaph that can be written over most of Britain's great concessions. We held Ireland by the sword until all that was best in that country was estranged from us, and then surrendered to force what we would not concede to reason.. Is India to be another Ireland, but on an immensely greater scale ? Every year that we put off yielding to her legitimate and natural demands, still greater demands are being made, and more and more estrangement follows—estrangement that may never be overcome in the lifetime of any of us now on the scene.

A Signpost

We are forcing India into the arms of Russia, Afghanistan, China, and Japan. Our whole policy has been one of distrust, and the branding of Indian patriotic aspirations as seditious. Although we hold India by force, we cannot go on doing so indefinitely. Must we wait for another "rebellion" to yield where we might give willingly and wholeheartedly ? Prison has no terrors for Indians who are prepared to suffer, and if need be to die, for their motherland and her right to self-government. When they are released from prison they are hailed as martyrs and honoured by their fellow-countrymen. Surely that should be a signpost to us.

India has awakened. Her sons are ready and anxious to realise that they are citizens in their own country in the fullest sense of the term. They feel that they cannot achieve this under foreign domination. Have we any right to impose it on them ?

India's Desire

In his book, *Indian Constitutional Problems,*[1] Sir Sivaswamy Aiyer stresses the same point: "There has been a rapid growth of national consciousness amongst the people of this country and desire on the part of the educated classes that India should acquire the same political status as the self-governing Dominions, and that she should be allowed to rise to the full stature of her nationhood. It is felt that the British administration can afford opportunities for the development of the faculties of Indians only up to a certain point."

What Indians Can Achieve

And that distinguished servant of India,. Sir Walter Lawrence, gives his testimony in these words: "I know from experience what Indians can achieve when they have the real chance. Side by side of the British the Indian seems to shrink from initiative. He is very different in the Indian States, and there is hardly an Indian State in which there have not been men of outstanding ability, great thinkers and men of initiative and action; men of the same race, caste and religion as those working in British India, but worlds apart, solely by reason of opportunity."

Why We Hold India

We are less than honest in our talk about our trusteeship for the "voiceless millions" of India. India, certainly, is no longer "voiceless," and far from its being a question of "trusteeship," our hold on India is chiefly in our own interests and frankly imperialistic. Sir William Joynson-Hicks (now Lord Brentford)[2] with greater

[1] *Indian Constitutional Problems*, by Sir P. S. Sivaswamy Aiyer, K.C S.I., C.I.E., p. 351.

[2] Died June 8th, 1932.

frankness, if less discretion, than other members of his Party, stated his views in the following words: "We did not conquer India for the benefit of Indians. I know it is said in missionary meetings that we conquered India to raise the level of Indians. That is cant. We conquered India as an outlet for the goods of Great Britain. *We conquered it by the sword and by the sword we should hold it.* I am not such a hypocrite as to say we hold India for the Indians. We hold it as the finest outlet for British goods in general, and for Lancashire goods in particular." (*Italics* mine.)

India Vital to Empire

The late Lord Birkenhead was also keenly alive to the value to Great Britain of India's markets: "The loss of the Indian market would be a staggering blow to the prosperity of Lancashire. . . . Almost all the manufacturing centres in Great Britain share in the trade and find in India an outlet for their manufactures. . . . In the fabric of our great Empire, India is a vital part."[1]

With India as a free, willing and equal partner in the British Commonwealth of Nations, even on the lowest and most mercenary grounds, the mutual value would be enormously enhanced.

Home Rule and Independence Claims

I remember that when I attended the meeting of the Indian National Congress at Lucknow in December 1916, the demand was first put forward for Home Rule for India—it having been declared by the High Court of Madras shortly before that such a constitutional agitation was not seditious. A great gathering of some 10,000 Indians unanimously passed a Resolution for *Swaraj*, or self-government within the Empire.

[1] Quoted in *Indian Constitutional Problems*, by Sir P. S. Sivaswamy Aiyer, K.C.S.I., C.I.E., pp. 349 and 350.

At Christmas, 1927, I attended the Indian National Congress at Madras, when the demand for *complete independence* was carried, without any dissentient voice in a great gathering of some 25,000 Indians. It is true that many of them understood by Independence Dominion Status *within* the Empire, but it is equally true that the mover of the Resolution, and many of those present and voting, stood for complete Independence entirely outside the British Commonwealth of Nations.

There were only eleven years between the two meetings—but how swiftly events had moved! How many people in England, I wondered, realised how completely Indian opinion had awakened in those few intervening years?

Chapter III

INDIA'S CLAIM TO SELF-GOVERNMENT

"If we were not designed to exert our powers until we were assured of our ability to attain our object, those powers would remain unused. It is only by trying that we learn what our powers are."

Immanuel Kant.

Indian Nationalism

Mr. Ramsay MacDonald's words, written in his book *The Government of India*,[1] ring true to every unbiassed student of India to-day. "Indian Nationalism proves its claim to be a national renaissance and gives a plain warning that it is much more than the agitation of political coteries. It is a revival of a historical tradition, the liberation of the soul of a people."

India Vocal

Since 1858, when the powers and functions of the East India Company were transferred to the British Crown, India has gradually become vocal, until to-day the question of how to satisfy the perfectly legitimate claims of modern India is one of the most urgent of all problems for Britain to tackle. It must be tackled in a really big, statesmanlike, and sympathetic manner, if India is to remain within the British Commonwealth of Nations. The attempt to represent the demand of India for *Swaraj*, or Self-Government, as nothing more than a post-War phenomenon, aided by a superficial agitation of lawyer politicians, is to show an absolute ignorance of India to-day and of her political development since 1885.

[1] *The Government of India*, by the Rt. Hon. J. Ramsay MacDonald, M.P., pp. 23 and 27.

In 1885 the Indian National Congress was founded. The history of the growth and development of the influence of this Congress represents the growth and development of modern Indian political aspirations.

The Germ of an Indian Parliament

The facts are not open to misconception From 1885 to 1914, that is for twenty-nine years, the Indian National Congress focussed representative Indian opinion and built up an organisation which not only voiced the opinions of all that was best in India, but which also fed the aspirations of Indians of all classes throughout the country. From its formation the object of the Congress Movement has been clear. In the circular issued when the first Congress was summoned it was stated that the Congress would "form the germ of a native Parliament and, if properly conducted, would constitute in a few years an unanswerable reply to the assertion that India was still wholly unfit for any form of representative institution."

Further Measures Promised

This goal was consistently held in view, and in 1912 the President of the Twenty-Seventh Congress welcomed the Vice-Regal dispatch of 1911, which promised larger measures of self-government to the Provinces and foreshadowed the time when "at last India would consist of administrations, autonomous in all provincial affairs, with the Government of India above them all and possessing power to interfere in case of misgovernment, but ordinarily restricting their functions to matters of Imperial concern."

An Opportunity Lost

The crux of the position is well defined in Mr. Ramsay MacDonald's book, *The Awakening of India*. "The

history of the National Congress is a history of the Nationalist movement. Started in 1885 by men who were rich, who were Liberals, and who had been educated in western ways, it was purely political. Its demand was for enfranchisement and for responsibility. It was never anti-British; it has always contented itself with demanding a measure of self-government under the British Raj.

"But it gave birth to a left wing, which gradually gained an independent position and drew away from it. The Anglo-Indian administrator lost his opportunity. The Congress, which ought to have been accepted by him as a useful critic, was regarded by him as an irreconcilable enemy. He resented it. He misrepresented it. He handed it over to the mercy of its left wing. The doctrine of a Sinn Fein kind of self-help, the dream of the political boycott, were encouraged by the blunders of the Government."

"The Times" Comment

It is interesting to note that *The Times*, in its comment on the meeting and the Resolutions passed at the first Congress, wrote that "the first question which this series of Resolutions will suggest is whether India is ripe for the transformation which they involve. If this can be answered in the affirmative, the days of English rule are numbered. If India can govern itself, our stay in the country is no longer called for. All we have to do is to preside over the construction of the new system and then leave it to work."

India Held by Force

That was nearly fifty years ago, when Japan was waking up. It is even more interesting to note that *The Times* went on to point out quite truthfully that India was held by force, not for the benefit of India but

for the benefit of ourselves. There was no wish then on the part of Britain to give Indians what is the birth-right of every people, the right to govern themselves. *The Times* said that " to throw it (the Viceroy's Council) open to elected members, and to give minorities a statutable right to be heard before a Parliamentary Committee, would be an introduction of Home Rule for India in about as troublesome a form as could be devised. Do what we will, the Government of India cannot be made constitutional. . . . The educated classes may find fault with their exclusion from political rights; political privileges they can obtain in the degree in which they prove themselves deserving of them. But *it was by force that India was won, and it is by force that India must be governed*, in whatever hands the government of the country may be vested." (*Italics* mine.)

This attitude, as I have shown, is adhered to in our own day by Sir William Joynson-Hicks (now Lord Brentford)[1] and others of that die-hard school.[2]

How Demands Grow

It is an undoubted fact that it was the contemptuous manner in which this Indian National Parliament was ignored that led first to the more aggressive activities of leaders such as Mr. Gandhi, and later to the movement for independence.

British Official Attitude

The Government of India and the British Officials have entirely ignored the Indian National Congress and and have treated with contempt any Resolution it chose to pass. I have been struck with this fact and suggested to distinguished British officials in India that they seemed to think it not worth their while to attend any

[1] Died June 8th, 1932.
[2] Quoted on p. 15 *supra*.

of the Congress meetings to which the thoughts and attention of all India were directed. Many Indians have, in consequence, been driven to take up a policy of despair.

Change in Official Attitude

Dealing with the awakening of Indian political consciousness, Mr. Ramsay MacDonald says: "Two generations ago we said we should welcome this awakening. We urged India to it; we prepared for it. Now that it has come we are afraid. We spy upon it; we deport its advocates; we plan to circumvent it. This change on our part is of fundamental significance in determining the form assumed by the awakening of India, although the 'man on the spot' does not seem to think that it ought to matter at all. The fact is, *our official attitude has been the chief factor in determining the course of the Nationalist movement.* It has been an attitude of friendship at first and of bitter opposition later.[1] (*Italics* mine.)

The Position Before the War

The position immediately prior to the Great War was that a strongly organised Congress, voicing political India, was carrying on an intensive movement for the widening of the scope of Indian influence in Indian affairs, and, with the exception of a small left wing of irreconcilables, working for the constitutional development of a programme having self-government within the Empire as its goal.

The Russo-Japanese War is an important landmark in the relations of East and West. The spectacle of an Eastern nation making war upon a Western nation and coming out victorious made every man in the East hold himself up straighter. It brought home to him the fact

[1] *The Awakening of India*, by the Rt. Hon. J. Ramsay MacDonald, p. 197.

Sitting on Safety Valve

In travelling through India in the cold weather of 1916-17 I had an opportunity of realising how much unrest and dissatisfaction there was in India and how necessary it was for some declaration to be made by the British Government indicating a generous policy of self-determination for India. I tried to convey my impressions to those in authority on my return to this country. I had a long talk with the Prime Minister's Private Secretary, Mr. Philip Kerr,[1] as a result of which, at his request, I wrote him a letter on June 26th, 1917, which he undertook to put before the Prime Minister for his serious consideration. In view of the subsequent Declaration made two months later by the Secretary of State for India in the House of Commons, the terms of that letter are not without interest. In it I said: "I have had a good deal of correspondence with highly-placed Indian Officials and with many private friends in India (both Indians and Europeans), and I know that there is a tremendous feeling of unrest and distrust of the Government. At present we seem to be doing our best to sit on a safety valve, and one would think that we were simply using all our efforts to make an explosion take place. I know many of these Indians myself, and I realise how easily they can be won at the present time if the right course is adopted.

"As you know, I was in India last Christmas, and attended the Indian National Congress at Lucknow. There were some 8,000 Indians present from all parts of India, but the heart-breaking thing was to see that scarcely one of the Official class attended any of the Congress Meetings, because these Meetings happened to come during their Christmas holidays!

[1] Now the Marquess of Lothian, Under-Secretary of State for India.

"I am absolutely convinced that unless some big, wise and imaginative step is taken, or some statement made without delay outlining some big, generous policy and an indication of when it will come into operation, we are going to drive many of these splendid Indians into the position of Sinn Feiners, instead of giving them the opportunity of becoming really useful, free citizens. . . .

"I hope you will be able to get this matter before the Prime Minister and press its urgency. This is real War Work of first importance, and it would be a calamity if in India we have a repetition of our recent experiences in Ireland.

"I only wish that our Statesmen would realise the tremendous importance of this matter. . . ."

The Montagu Declaration

In August 1917 the late Mr. Edwin Montagu, the Secretary of State for India, made his famous Declaration.

In enunciating the policy of the British Government towards India in the House of Commons on August 20th, 1917, Mr. Montagu said that the policy of His Majesty's Government, with which the Government of India were in complete accord, was that of "the increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire."

It was no rash, ill-considered gesture by a newly appointed Secretary of State whose sympathies with Indian aspirations were well known. It was a solemn and momentous Declaration made on behalf of the British Cabinet, the British Government and the British nation, in the drawing up of which not only Mr. Montagu, but Sir Austen Chamberlain and Lord Curzon,

took a notable part. India immediately welcomed it as a promise that her aspirations were to find fulfilment, and Indians of all shades of opinion now looked to the realisation of the goal of self-respecting equality with the Dominions.

The Indian National Congress, which met at Calcutta in December 1917, expressed its "grateful satisfaction with the pronouncement, made by His Majesty's Secretary of State on behalf of the Imperial Government, that its object was the establishment of Responsible Government in India, the full measure to be attained within a time to be fixed in the Statute itself at an early date."

Chapter IV

THE MONTAGU-CHELMSFORD REFORMS

That the pronouncement made by Mr. Montagu in the House of Commons on August 20th, 1917, was no idle gesture was shown by the decision of the Government to authorise him to visit India in connection with the formulation of a scheme of reform.

Mr. Montagu's Indian Visit

Mr. Montagu left for India in October 1917. He was assisted in his inquiries by the Viceroy and by a Deputation consisting of the Earl of Donoughmore, Mr. Charles Roberts, M.P., Mr. Bhupendranath Basu, Sir William Duke, from the India Office, and Sir William Vincent, whose services were lent by the Government of India.

The Viceroy, Lord Chelmsford, and Mr. Montagu, with this Deputation, interviewed representatives of all schools of thought in India. Their inquiries continued over six months.

It was impossible for Mr. Montagu to close his eyes to the "seething, boiling, political flood raging across the country." But he found the urgency of the situation little understood in official quarters, either at Simla or in the Provinces.

He noted in his Diary[1] at the time that "our Viceroys approach their problem from the wrong side. . . . They do the work that they are called upon to do; they wade through files; they think of their regulations; and then

[1] *An Indian Diary*, by Edwin Montagu, p. 16.

as to the social side—precedence, precedence, precedence. Everything is divided into Government, and those who are not Government, officials and those who are not officials, or Government and the Opposition. Informal discussion, informal conversations, they do not know. Political instinct they have none. The wooing of constituents is beneath their idea. The coaxing of the Press is not their métier. Nothing is required of them but to get through their files, and carry on their social work according to the rule. Everything is prescribed; everything is printed. Well, this may be all right for a Court, but it is all wrong when the Court is not royal, and is also the Prime Minister's place."

In a later entry in his Diary, dated December 1st, 1917, he notes: "I wish I could get the damned bureaucracy to realise this (that things were growing more serious every day) but we are literally sitting on an earthquake." The root cause of the trouble, he wrote in another part of his Diary, was "the profound distrust, which may or may not be justified, shown by Civil Servants of the Indian, and the Indian of the Civil Servant. The consequence is that in making any proposal, or in carrying out anything, the Civil Servant, rather than trust to his own authority and to the righteousness of his own cause, ties himself up and everybody else with what he calls safeguards—rules, regulations and statutes. The Indian then sees that he is not trusted, and uses his power quite irresponsibly, knowing that the Civil Service has guarded itself by its regulations. On the other hand the Indian, irritated by this, demands powers over the bureaucracy which he does not really require, simply in order to get rid of these difficulties. . . . This Indian problem is very much complicated by the fact that it is atmosphere social and political rather than anything definite which we have to cope with."

Mr. Montagu was able to secure the agreement of the

Viceroy and his Council to a scheme of reforms which would make a first step towards the goal of full responsible government envisaged in the August 1917 Proclamation.

Montagu-Chelmsford Report

This was embodied in a Report[1] signed by Mr. Montagu and Lord Chelmsford at Simla in April 1918, and published in July 1918, after Mr. Montagu's return to England.

They proposed that a substantial step should be taken at once to give some measure of responsibility for government to representatives chosen by an Indian electorate.

Chief Proposals

In the Central Government entire responsibility was to remain with the British Parliament. But the legislative body was to be enlarged and made more representative, and its opportunities of influencing the Government were to be increased.

The scheme of reforms in the Provincial Governments gave partial responsibility by means of a system of diarchy, and provided for complete popular control in local bodies.

The main reform, therefore, related to the Provincial Governments. In each Province an enlarged Provincial Legislative Council was to be set up, with a substantial elected majority. This Council would consist of (1) Members elected on as broad a franchise as possible; (2) Non-Officials nominated by the Government; (3) Officials nominated by the Government; (4) ex-officio Members.

The franchise and the exact composition of the Legislative Council in each Province was to be determined on the advice of a Franchise Committee.

[1] Cmd. 9109.

Reserved and Transferred Subjects

The subjects of Government in the Provinces were to be divided into "Reserved" and "Transferred." The Reserved subjects would be administered by the Governor and his Executive Council, and for the administration of these subjects they would not be bound by the decisions of the Legislature, but would be directly responsible to the British Parliament. When the consent of the Legislative Council was not forthcoming, in the case of a measure dealing with a Reserved subject, the Governor would have power to certify that measure as essential for the discharge of his responsibility. Machinery was provided to enable the Governor to secure the enactment of such a measure. The administration of the Transferred subjects was to be placed in the hands of Ministers chosen from the Provincial Legislative Councils and responsible to these Councils.

As we have seen, Parliament's responsibility for the administration of India's Central Government was to remain. The representative institution set up at the centre under the Morley-Minto Reforms of 1909 (consisting of thirty-five Members nominated by the Governor-General and twenty-five elected Members, with the Governor-General as President) was to be replaced by a bi-cameral legislature at the centre, consisting of a Lower House to be called the Legislative Assembly and an Upper House to be called the Council of State. The Legislative Assembly was to consist of about a hundred Members, two-thirds of whom were to be elected, and one-third nominated by the Viceroy.

The Indian element in the Viceroy's Executive Council (the Cabinet of the Government of India) was to be increased.

It is true that the Assembly was to have a non-official majority. But to enable the Executive to secure

the enactment of legislation which it considered essential, the composition of the Council of State was to be such as to ensure a Government majority.

According to this scheme Government Bills ordinarily would be introduced and carried through the usual stages in the Legislative Assembly, and, if passed, then sent to the Council of State.

India Office

With regard to the India Office, it was proposed that the salary of the Secretary of State should be transferred to the British estimates; that the House of Commons should be asked to appoint a Select Committee for Indian affairs; and that a special Committee should be appointed forthwith to examine and report on "the present constitution" of the Council of India and of the India Office establishment.

It was further proposed that ten years after the first meeting of the new legislative bodies a Commission should be appointed to review the constitutional position, both as regards the Government of India and the Provinces.

A Council of Princes was to be established which should hold regular meetings, and this Council should set up a Standing Committee. Any Member of the Council was to be able to request the Viceroy, who would preside over meetings of the Council, to include in the Agenda any subject on which discussion was desired. The function of this Council of Princes was purely advisory.

Any racial bars that still existed in the regulations for appointment to the Public Services were to be abolished. In addition to recruitment in England, where such existed, a system of appointment to all such services was to be established in India. Percentages of recruitment in India, with a definite rate of increase, were also to be fixed.

The authors of the Report drew attention to the general demand from Indian political leaders for extended opportunities of military service, and especially for the permanent opening of the commissioned ranks to Indians. As the World War was still in progress, they were not able to make any actual recommendations on this point, but they realised and noted that it would have to be faced and settled.

Economic Position of India

They were impressed with the Indian suspicion that the commercial and fiscal policy of the Government of India was influenced by the interests of Britain rather than those of India. They stated that in the course of their discussions the conviction had been forced upon them that economic factors entered largely into the political situation in India.

They pointed out that the economics of a country which depended to so great an extent as India upon agriculture must be unstable. Recent enquiries, they stated, had shown that the standard of living amongst the peasant class had improved perceptibly of late years. But there was still no great margin of taxable capacity. The people were poor; and their poverty raised the question whether the general level of well-being could not materially be raised by the development of industries.

Further, they realised that the lack of outlet for educated youth was a serious misfortune which had contributed not a little in the past to political unrest. But perhaps an even greater mischief, which they noted, was the discontent aroused in India at the fact that she was so largely dependent on foreign countries for manufactured goods.

Indians noted that India's foreign trade was always growing. But they also saw that its leading feature continued to be the barter of raw materials, valued at

relatively low prices, for imported manufactures which obviously afforded profits and prosperity to other countries industrially more advanced. Patriotic Indians might well ask themselves, said the authors of the Report, why these profits should not accrue to their country, and also why so large a portion of the industries which flourished in the country was financed by European capital and managed by European skill. They therefore pointed to the need for industrial development, and referred to the desire of Indians for fiscal autonomy.

Referring to the conditions for the success of any scheme in fulfilment of the Declaration made on August 20th, 1917, they observed that "habits of generations had to be softened if not overcome, and a capacity and self-reliance had to be called forth in place of helplessness: nationhood in the place of caste or communal feeling."

Communal Electorates

Communal electorates in their view were a serious hindrance to the development of the self-governing principle. Much however as they regretted the necessity they felt that, so far as the Muslims were concerned, the right which they already had to representation through communal electorates under the existing Minto-Morley scheme must be maintained. Except in the case of the Sikhs, they were opposed to the extension of the communal system, which "would only encourage still further demands and would in our deliberate opinion be fatal to that development of representation upon a national basis in which alone a system of national government could possibly be rooted."

The Goal aimed at

In the final chapter of their Report Mr. Montagu and Lord Chelmsford gave an idea of the goal which they

envisaged. Their conception of the eventual future of India was a sisterhood of States, self-governing in all matters of purely local or provincial interest, in some cases corresponding to existing Provinces, in others perhaps modified in area according to the character and economic interests of their people. Over this congeries of states would preside a central government, increasingly representative of and responsible to the people of all of them; dealing with matters, both internal and external, of common interest to the whole of India; acting as arbiter in inter-state relations, and representing the interests of all India on equal terms with the self-governing units of the British Empire.

They added that in this picture there was a place also for the "native States." It was possible that they too would have to be associated for certain purposes with the organisation of British India in such a way as to dedicate their peculiar qualities to the common service, without loss of individuality.

Franchise and Functions Committees

Following the publication of the Montagu-Chelmsford Report two Committees were set up. These Committees, known as the Franchise and the Functions Committees, were presided over by Lord Southborough, and toured India between November 1918 and March 1919.

Franchise Committee's Report

In the Report drawn up by the Franchise Committee it was recommended that the qualification for voters should be based on property and residence within the constituency. They did not favour the granting of the franchise to women, but subjects of the Indian States, fulfilling the qualification of property and residence, should be given the vote.

The Report proposed that the system of indirect election, which had been followed in connection with elections to the Provincial Legislatures under the old system, should be replaced by a system of direct election. On the other hand they recommended that elections to the Legislative Assembly and Council of State should be by indirect election. They also made proposals for the extension of communal electorates to communities other than the Muslims and Sikhs.

Functions Committee's Report

The Functions Committee, in their Report, made recommendations as to the subjects to be classed as central and provincial. They also made proposals concerning those provincial subjects which should be reserved and those which should be transferred to the responsibility of the new Provincial Legislatures.

The publication of the Montagu-Chelmsford Report, and of the Reports of the Franchise and Functions Committees, was followed by the issue of dispatches containing the view of the Government of India on the proposals of these Reports. These dispatches from the Government of India aroused a great deal of criticism in India, and were looked upon as an effort to whittle down the already (in Indian eyes) inadequate scheme sketched out in the Montagu-Chelmsford Report.

Early in July 1919 the Government of India Bill was presented to the House of Commons. This Bill was referred by Parliament to a Joint Committee of both Houses which sat under the Chairmanship of Lord Selborne.

Government of India Bill

In the summer of 1919 a number of Deputations visited this country, representing all shades of Indian opinion, to press their views before this Joint Com-

mittee. Practically all the Deputations urged the necessity of the introduction of at least some element of responsibility in the Central Government.

These representations, however, whilst they led to some minor changes in the original proposals, were unavailing in effecting any fundamental change. In general, they approved the proposals of the Franchise and Functions Committees, but they rejected the Franchise Committee's proposal that the Legislative Assembly and Council of State should be elected by indirect election.

In addition to these two Committees, a third Committee had been set up, on the recommendation of the Montagu-Chelmsford Report, to examine the relations between the Government of India and the India Office. This Committee, presided over by Lord Crewe, made certain recommendations for the re-organisation of the Secretary of State's Council, the appointment of a High Commissioner for India in London to exercise agency functions in London on behalf of India, and the placing of charges on account of political and administrative work of the India Office on the British estimates.

In dealing with the recommendations of the Crewe Committee the Joint Parliamentary Committee rejected the proposed re-organisation of the Secretary of State's Council, but accepted many of the other proposals including the placing of the political and administrative charges of the India Office on the British estimates, and the appointment of an Indian High Commissioner in London.

As regards the relations of the Secretary of State with the Governor-General in Council, the Joint Committee were of opinion that any statutory change could not be made so long as the Governor-General remained responsible to Parliament. Nevertheless in practice, they considered, the conventions governing these relations might wisely be modified to meet fresh circumstances.

In the exercise of his responsibility to Parliament the Secretary of State, in their view, might reasonably consider that only in exceptional circumstances should he be called upon to intervene in matters of purely Indian interest where the Government and the Legislature of India were in agreement. A similar principle should regulate the relations of the Provincial Governments and the Government of India with the Secretary of State in the administration of the Reserved subjects in the Provinces.

The power of interference with the administrations of the departments transferred to Ministers in the Provinces would be restricted to the narrowest limits.

It was recommended by the Joint Committee that under the new constitution three Indians should be appointed to the Viceroy's Executive Council. With a view to removing the belief in India that India's fiscal policy was dictated from Whitehall in the interests of Great Britain, they suggested that a convention should be established by which the Secretary of State was to refrain from interfering with fiscal measures upon which the Indian legislatures and executives were in agreement.

They expressed the opinion that the Statutory Commission, which would consider the question of further advance, should be appointed at the end of ten years, and that no changes of substance should be made in the interval.

The Report of this Joint Committee of both Houses was presented to Parliament. The Bill was modified in accordance with its recommendations and was passed into law in December 1919.

In 1921 H.R.H. the Duke of Connaught went to India and inaugurated the new régime, declaring on behalf of the King:

" For years—it may be for generations—patriotic and

loyal Indians have dreamed of Swaraj for their Motherland. To-day you have the beginning of Swaraj within my Empire, and the widest scope and ample opportunities for progress to the liberty which my other Dominions enjoy."

Circumstances in India, however, tended to make the introduction of the Reforms by no means an easy matter.

Chapter V

THE ROWLATT ACT

The Montagu-Chelmsford Report envisaged a scheme and a rate of progress which fell considerably short of the expectations which had been entertained in India even in moderate quarters. The hopes inspired by the 1917 Declaration began to give way to doubt and despondency. The passing months, instead of bringing encouragement to dwindling hopes, brought only intensified repression.

The Rowlatt Committee

In 1918 the Government had set up a Committee to report on revolutionary crime in India, and to recommend measures to cope with it in the future. This Committee was presided over by an English High Court Judge, Sir Sidney Rowlatt.

Some comment must be made here as to the meaning of "revolutionary crime" in India. It is a very elastic term. Indians have learned that "revolutionary" and "anarchist" are words which can be made to cover activities which are perfectly legitimate. For engaging in what they believed to be peaceful agitation for the attainment of national liberty, men have been accused and convicted of being engaged in revolutionary crime.

The same thing may be said about "sedition." In this country sedition implies exciting disaffection against the Crown or Government, otherwise than by lawful means. In India, on the other hand, an attempt to bring the Government into hatred or contempt constitutes sedition,

and is punishable with transportation for life. The whole policy of members of opposition parties in this country for centuries has been to endeavour to bring the Government into hatred or contempt! It is perfectly legitimate here. It is one of the most serious crimes in India.

But to return to the Rowlatt Committee. The Defence of the Realm regulations, which had been in force during the War, had been used in India to suppress ordinary manifestations of political activity. Indians saw, in the appointment of this Committee, an attempt to continue indefinitely the restrictions under which they had chafed and suffered during the War period.

The Rowlatt Committee conducted their deliberations *in camera*, and the material before them consisted in great part of secret police records. Indians were not surprised, therefore, when the recommendations of the Committee justified all their worst fears.

Early in 1919 the Government of India proceeded to introduce legislation on the lines of the recommendations, and they were immediately met by a storm of indignation. The proposals consisted of two Bills, which became known as the Rowlatt Bills. The second of these, in defiance of Indian opinion and against the warnings even of the moderate supporters of the Government, was duly enacted.

Provisions of Rowlatt Act

Under the provisions of this Rowlatt Act people could be tried by courts which were empowered to sit *in camera*, and which could accept in certain circumstances the recorded statements of persons dead or missing—or otherwise incapable of giving evidence which could be subjected to the test of cross-examination.

The judgment of these tribunals was to be final and conclusive. They were to be composed of three persons, who would be either High Court judges or of the status of such, and they were to sit without juries.

inary proceedings for committal, and without any sort of appeal, people could be sent to the gallows or could be transported for life. Yet there would be no reports of the trial, and all that would be necessary would be an official gazetting of the conviction.

The Act also gave power to the Executive to place persons suspected merely of complicity in "anarchical" or "revolutionary" movements under various kinds of restraint and restrictions. It also provided the Executive with authority to search without warrant, to arrest, and to confine persons so arrested without trial "in any part of a prison or place not actually used for the confinement of convicted criminals." Such detention could also be prolonged from time to time for periods of one year by renewal orders.

The Act further provided for the automatic continuance of the confinement or restriction of persons already confined or restricted under the Emergency Regulations introduced during the War.

The introduction and enactment of such legislation, immediately after the Armistice, but before the nervous strain of the War years had relaxed, was almost certainly bound to lead to trouble. The Government of India took no heed of the grave warnings which responsible Indians had given, and after the enactment indignation spread and an agitation developed on a wide scale.

The first disturbance took place at Delhi on March 30th, and it was found necessary to employ troops in the restoration of order. On April 10th there was further trouble at Amritsar and Lahore in the Punjab, and Ahmedabad in Bombay Presidency.

After this things rapidly became worse. The climax was the shooting of an unarmed crowd at Amritsar. The reverberations of this are still felt in India. On account of its importance it is dealt with in a Chapter by itself.

Chapter VI

THE TRAGEDY OF AMRITSAR

Martial law was proclaimed in Lahore and Amritsar on April 15th, 1919. Some days earlier, however, the civil authorities seem to have handed over control of the situation in the Punjab to the army.

General Dyer's Proclamation

On the morning of April 13th, Brigadier-General Dyer, who had arrived in Amritsar two days previously, issued a proclamation. This proclamation declared that any gathering of four men would be looked upon as an unlawful assembly to be dispersed by force of arms if necessary. It was posted up in various places in the city, and General Dyer rode through the streets at the head of a column of troops on the same morning and had it read out.

About midday it came to his knowledge that it was proposed to hold a large meeting at Jallianwala Bagh at 4.30 that afternoon. Jallianwala Bagh was once a garden, but for a long time had been an open space covering an area perhaps similar to that of Trafalgar Square. This space, which was commonly used as a place for public meetings in Amritsar, was enclosed on every side by walls, backed in many places by tall houses. Practically the only means of entering this open space was through a narrow lane, which ran out at one end and formed a kind of bottle neck.

General Dyer made no attempt to get into touch with

the organisers of this meeting. He took no measures to prevent its gathering. Although the proclamation made earlier in the day had been posted up in nineteen places in the city, Jallianwala Bagh was not amongst them. Nor had it been posted up at the place of meeting of a religious fair then in progress and known as Bai Saikhi. This fair was an annual event and drew crowds of people from the villages in the surrounding country.

Just before four o'clock General Dyer marched from his quarters at Ram Bagh with a special party of troops, consisting of fifty Indian infantry with rifles, forty Indian infantry armed with Kukris (a type of sword), and two armoured cars. He had with him also a number of picketing parties in accordance with his plan to put pickets at the main gates of the city. With this force he proceeded straight to Jallianwala Bagh, dropping the pickets *en route*.

The Jallianwala Bagh Tragedy

On his arrival at Jallianwala Bagh he marched his infantry through the narrow lane, and deployed them immediately right and left of the place where the narrow lane opened out into Jallianwala Bagh. The armoured cars, with their machine guns, he left outside as the lane was too narrow to admit them.

Having deployed his troops, General Dyer at once gave orders to fire. He gave no notice to the large crowd there assembled, and allowed no time for anyone to get away. He continued a controlled fire on the dense crowd facing him in the enclosure, a crowd which according to his own estimate numbered five thousand persons. Continuous fire was directed wherever the crowd was densest. In the course of ten minutes 1,650 rounds of ammunition were fired, and even then the firing was only brought to an end because the supply of ammunition was on the point of exhaustion. General

Dyer admitted in evidence later that he would have used his machine guns, had he been able to move the armoured cars down the narrow lane.

Immediately after giving orders to cease fire, General Dyer marched his troops back to his quarters at Ram Bagh. He made no attempt to attend to the wounded, nor to send ambulances or other assistance to the dying and maimed left in Jallianwala Bagh. Asked at the subsequent inquiry why he did not attend to the wounded, General Dyer answered that it was not his job. But, it might be asked as he had taken into his own hands the authority of the civil power, whose "job" was it to come to the assistance of those he had left in agony? As a curfew order was in force, by the time the relatives of many of those left in Jallianwala Bagh realised what had happened, they were unable to go to their assistance.

According to the official estimate the serious casualties resulting from the firing at Jallianwala Bagh amounted to 1,137 and the number of deaths to 379.

The reasons given by General Dyer for the severity and duration of his fire were set out in his written statement to the army authorities.

General Dyer's Defence

"We cannot be very brave unless we be possessed of a greater fear. I had considered the matter from every point of view. My duty and my military instincts told me to fire. My conscience was also clear on that point. I fired and continued to fire until the crowd dispersed, and I consider this is the least amount of firing which would produce the necessary moral wide-spread effect it was my duty to produce if I was to justify my action. If more troops had been at hand, the casualties would have been greater in proportion.

"It was no longer a question of merely dispersing the crowd, but one of producing a sufficient moral effect

from a military point of view, not only on those who were present, but more especially throughout the Punjab. There could be no question of undue severity."

There was certainly no question of dispersing the assembly in Jallianwala Bagh. For posted on either side of the only exit, and that a narrow one, were General Dyer's troops, engaged in directing a concentrated fire. None of those present had any chance of dispersing.

Effect on India

Is it surprising that this sent a shock of horror throughout India? It was difficult to make Indians believe that the British administration was a civilised one, when one of its officers could seek to justify such action as necessary to the maintenance of that administration.

The Government maintained complete silence with regard to this incident and others which took place during these disturbed weeks. It was only gradually that the details of what had happened at Amritsar leaked out, to be followed by an outcry for a public inquiry.

As a result the Government decided to set up a Committee, presided over by a Scottish judge, Lord Hunter. This Committee, however, did not start work until the following October, six months after the events had taken place. Their report was not published until the following year, in May 1920.

Congress Committee Inquiry

The Indian National Congress meanwhile set up a Committee of its own, consisting of Mr. Gandhi and three other prominent lawyers, Mr. C. R. Das, Abbas Tybaji, and Mr. M. R. Jayakar. Their Report was published in 1919, months before the appearance of the official Hunter Report.

As the Publicity Officer of the Government of India wrote in connection with the events of 1920: "The publication of this document, however it may have been based on *ex parte* statements by people intimately connected with that agitation against the Rowlatt Acts, from which, so the Hunter Committee subsequently decided, the whole trouble can be traced, produced a considerable impression on the public mind of India. There was small disposition indeed on the part of any large section of the community to regard the Report as conclusive; but it whetted the eagerness of educated India for the official Report of Lord Hunter's Committee, and at the same time raised to a great height their standard of expectation as to what that Report ought to contain, in the way of censure of the Punjab Government."[1]

In the Report of the Congress Inquiry the administration of Sir Michael O'Dwyer, the Lieutenant-Governor of the Punjab, was strongly criticised. The introduction of martial law was condemned, and reference in strong terms was made to the action taken under the law by particular officers. The action of General Dyer at Jallianwala Bagh was characterised as "a calculated piece of inhumanity unparalleled for its ferocity in the history of modern British administration." Such orders as the "Crawling Order" were condemned, and the Report demanded the recall of the Viceroy and the dismissal of the various officials whose conduct was impugned.

The Crawling Order had been enforced by General Dyer in Amritsar after an attack had been made on a European woman. On the day that this assault took place General Dyer stationed soldiers at either end of the street in which it had occurred, and gave orders that every Indian who used the street must crawl on his hands and knees. This order was enforced at Amritsar from April 19th to 24th, 1919.

[1] *India in* 1920. Published by the Government of India, p. 42.

Hunter Committee Inquiry

The Hunter Committee held its meetings in public, and the evidence as reported in the Press stirred India as she has not been stirred in recent times. As the Government of India Publicity Officer records, " revelations of individual official harshness and of improper conduct which eventuated from the examination of Lord Hunter's Committee, came with added shock to public opinion both in India and in Great Britain because of the length of time which intervened between the occurrences criticised and the publication of the facts concerning them."

Even after the publication of these facts at the inquiry, however, there was a lamentable delay in the issue of the Hunter Committee Report. When eventually it appeared it was not unanimous—the Europeans (the Majority) signing one Report, and the Indians (the Minority) signing another. On questions of fact there was practically no difference of opinion.

Hunter Majority Report

The Majority Report criticised General Dyer adversely on the two grounds that he opened fire without warning and went on firing after the crowd had begun to disperse.

On the first point they said that the only person who could judge whether notice should properly be given on such an occasion was the military officer concerned. But they pointed out that General Dyer did not suggest the existence of an emergency justifying his decision to fire on the crowd without warning. They were of opinion that notice should have been given before firing to enable the crowd to disperse. They were further of opinion that in continuing to fire as long as he did, even after the crowd had endeavoured to disperse, General Dyer

"committed a grave error." The force of their censure was lessened, however, by their observation that they considered that General Dyer "honestly believed this was the only course before him, and his appreciation of the existing military situation persuaded him that he was called upon to take this step in the discharge of his duty." Yet, as a matter of fact, General Dyer stated in his evidence that his mind was made up as he came along that if his orders had been disobeyed he was going to fire at once.

The Committee found that some of the orders passed were injudicious, and served no useful purpose. They criticised severely, amongst other things, the order passed by General Dyer known as the Crawling Order, the roll-call imposed upon students in Lahore, and the order requiring Indians to salaam Europeans.

Hunter Minority Report

The Minority found it impossible to support the view, which the Majority in their Report accepted, that the Punjab authorities were justified in assuming that the outbreak was the result of a definite organisation. The disturbances, the Minority Report stated, had their origin in the general conditions existing in the beginning of 1919—the strain placed on India by her War efforts; the hardship of high prices; the inconveniences and restraints imposed by War measures; the hope of alleviation excited by the Armistice, and the subsequent disappointment caused by famine, epidemic, and a more stringent Income Tax Act; the belief that the proposals of the Government of India as regards the Reform scheme were illiberal and intended to whittle it down; and the delay of the Turkish settlement.

Many of the above factors, they showed, were more pronounced in their effect in the Punjab than elsewhere, and were aggravated by War weariness, by irritation at

the restrictions on foodstuffs and traffic, by the restraints upon the Press, by resentment aroused at Sir Michael O'Dwyer's speeches, and at the orders preventing the entry into the Province of outside politicians. All of these, they stated, tended to cause irritation amongst the educated classes.

As to the nature of the orders issued in the Punjab under martial law, the Minority were more severe than their colleagues in their condemnation. They expressed the belief that many of the orders were issued purely for punitive purposes, and in such a way as to cause racial humiliation—as indeed they did.

They could not concur in the Majority's half-hearted condemnation of General Dyer's action at Amritsar, and public opinion was solidly behind them.

They criticised him severely for suggesting that he would have made use of machine guns if they could have been brought into action; for opening fire without warning and for continuing until his ammunition was spent, even after the crowd had tried to disperse; for firing not merely to disperse the crowd, but to punish it and to produce a moral effect throughout the Punjab; and for assuming that the crowd before him consisted of persons guilty of the outrages which had been perpetrated in Amritsar some days before.

They could not agree with the Majority that it was probable that the crowd could not have been dispersed without firing, citing General Dyer himself in support of that opinion.

They characterised his action as "inhuman and un-British, and as having caused great disservice to British rule in India." They attributed his conduct to a fixed idea that India must be ruled by force, and they condemned his action in not taking steps for the removal of the dead and the care of the wounded.

Finally, they criticised the failure of the Punjab

Government to ascertain without delay the number of casualties.

The *Majority and Minority Reports of the Hunter* Committee were published, together with dispatches of the Government of India and His Majesty's Government expressing their views on the findings of the two Reports.

Government Dispatch

His Majesty's Government in their dispatch took a more serious view of General Dyer's action than that taken by the Majority of the Hunter Committee. But their attempt to explain away, and to find excuses for things which seemed to Indians to be inexcusable, made the censure passed by the Government inadequate in Indian eyes to the enormity of the crime perpetrated in its name.

Chapter VII

ELECTIONS AND BOYCOTTS

When the Indian National Congress met in December 1919 it was only by the magic of Mr. Gandhi's personal influence that it was persuaded to accept and work the new Reforms.

Reasons for Non-Co-operation

This decision, however, was only to be short-lived. Two events which occurred in the following months struck a fatal blow to popular co-operation in the introduction of the Reforms. Firstly, the signature of the Treaty of Sevres was taken in India as final proof that Muslim interests were to be sacrificed on the altar of the pro-Greek policy of the British Government. Secondly, the refusal of the British House of Lords to endorse the censure of General Dyer contained in the Hunter Commission's Report, and in the Government of India's Dispatch thereon, appeared to most people in India as proof that, notwithstanding the 1917 Declaration, the old spirit really still animated the British attitude towards India. If they were right in this view, it was impossible for India to see in the Reforms, inadequate as they seemed to them even as a beginning, an earnest of our desire to carry out the spirit of that Declaration.

Regretfully, Mr. Gandhi announced his conviction that he could no longer work in co-operation with the British Government. In April 1920 he launched his non-co-operation movement.

Elections to First Assembly

The strenuous endeavours which had been made by Indians, when the Government of India Bill was before the Joint Committee and Parliament, to secure a widening of the scope of the Bill, had met with very little success.

In November 1920 the elections to the new Legislative Assembly and Provincial Councils set up under the reformed constitution took place. The non-co-operation movement was then at its height and, in consequence, the large section of political opinion in India which centred round Mr. Gandhi stood aloof from the elections.

Result of Boycott of Elections

The boycott of the elections to the first Legislative Assembly and Provincial Councils by the largest political group in India undoubtedly weakened these bodies. Yet, looked at from another aspect, the absence of the representatives of the Congress, instead of weakening the Legislatures, produced an exceptionally favourable atmosphere for testing their possibilities. The Home Rulers, Liberals, and the more conservative elements who went with them, were earnestly desirous of working the Reformed constitution as successfully as its limits, which they fully realised and criticised, would allow.

Inherent Defects of Constitution

In fact, the first Assembly and Councils accomplished a considerable programme of work—despite the manifest defects of a machine which faced the central legislature with an irremovable executive, and the provincial executive with an impossible system of divided responsibility.

But, while splendid work was done in trying to utilise to the full the limited opportunities presented, it was obvious from the first that the inherent defects in the

system raised difficulties which no amount of good endeavour could overcome. This had, of course, been pointed out when the Bill was before Parliament. When the working of the Act provided ample evidence to support what they had urged, the members of the first Assembly took constitutional steps to bring home to the Government of India and to the British Parliament the absolute necessity not only of bringing the constitution more in line with India's minimum expectations, but at the least to make it "workable."

Preamble of 1919 Act

It must be remembered that, while the members of the first Assembly and Councils were desirous of doing all that was possible to work the Reforms for what they were, they had always protested against the provisions contained in the Preamble of the 1919 Government of India Act. That Preamble laid it down not only that a period of ten years must elapse before a Commission should be appointed to investigate the working of the Reforms, but that Parliament alone was to be the judge of India's fitness for any extension of responsible government and of the time and manner of such advance.

Revision of Constitution Demanded

At the second session of the Legislative Assembly, on September 21st, 1921, a Resolution was moved calling for the establishment of autonomy in the Provinces, and the introduction of responsibility at the centre. In the course of the debate on this Resolution, Sir William Vincent, the Home Member of the Government of India, although he intimated he was not prepared to give official support to this Resolution, admitted that he did not believe that the "present transitional scheme could last as long as was expected." Finally he suggested a formula which met with the approval of the

Assembly. He proposed that an amended Resolution should be put to the effect

"That this Assembly recommends the Governor-General in Council should convey to the Secretary of State for India the view of this Assembly that the progress made by India on the path of responsible government warrants a re-examination and revision of the constitution at an earlier date than 1929."

This Resolution, suggested as we have seen by the Home Member of the Government of India himself, was passed by the Legislative Assembly without a division.

Demand Turned Down

To this unanimous request from the Assembly at New Delhi, no reply was received from the Secretary of State until January 1923, that is until more than fifteen months later. In a letter defining the policy of His Majesty's Government, the then Conservative Secretary of State, Lord Peel, contended that it would be "without precedent if a constitution, deliberately framed to provide a basis for development in whatever directions experience may dictate, were brought under review within a few months of its inauguration; and indeed any such process could hardly fail to deprive the constitution of a large element of its value, by determining prematurely the precise directions in which further progress was to be made."[1]

Constitutional Advance Illusory

As a matter of fact, experience of working the Reforms, in the Provinces and at the centre, was proving the exact opposite. It was becoming ever more obvious that, on account of inherent defects in the scheme, the big

[1] Reprinted in *Moral and Material Progress of India during 1922-3*. Appendix VI, p. 352.

advance in responsible government, which was supposed to be granted by the 1919 Act, was, in practice, largely illusory.

The reasons for this may be summarised briefly: (1) The Executive is not responsible to, or removable by, the Legislature, except in the transferred sphere in the Provinces; (2) Limitation is placed on the power of the Legislature in voting expenditure. There is no real "control of the purse"; (3) Important portfolios, such as that of Finance, Law and Order, are still under the sole control of the Executive; (4) Extraordinary powers are still vested in the Viceroy.

Swarajist Tactics

The failure to secure from the Government in Britain any promise of an early re-examination of the constitution, even in answer to a unanimous request from the Assembly, including the official members of the Government of India, keenly disappointed those who had run contrary to popular opinion in undertaking to work the Reformed Constitution. It also greatly strengthened the hands of those who, under the leadership of Mr. C. R. Das and Pundit Motilal Nehru, forsook the path of non-co-operation in 1923, and contested the elections to the second Legislative Assembly and the Provincial Councils with the avowed object of wrecking the constitution from within, unless the Indian demand for immediate revision was conceded.

In the second Assembly this Swarajist group captured no less than forty-five out of the one hundred and five elective seats. On the eve of the elections they issued a manifesto, laying stress on the fact that they were entering the Councils in order to ensure that the new constitutional machinery should not be exploited for non-national purposes. They announced their intention

of presenting an ultimatum to the Government demanding the right of the Indian nation to control her own destiny.

If this were refused, they pledged themselves to a policy of " uniform, continuous and consistent obstruction, with a view to making the Government, through the Assembly and the Provincial Councils, impossible."

Chapter VIII

THE REFORMS INQUIRY

"The only cure for irresponsibility is responsibility."
THE MARQUESS OF LOTHIAN.

Revision of 1919 Act Again Demanded

EARLY in the life of the Second Legislative Assembly, in 1924, the constitutional question was taken up again. It was raised in a resolution moved by Diwan Bahadur Rangacharia, a prominent Moderate who had played an important part in the first Assembly, of which he had been elected Deputy President. This resolution urged a revision of the 1919 Act in such a manner as to secure for India Provincial Autonomy in the Provinces and full self-governing Dominion Status within the Empire.

To this resolution Pundit Motilal Nehru, the leader of the Swarajist Party in the Legislature, moved an amendment calling for a Round Table Conference to recommend a scheme for the establishment of full responsible government in India.

After three days' debate, in which speaker after speaker from amongst the elected Indian Members, Moderates as well as Swarajists, urged on the Government the necessity of a revision of the constitution, Pundit Motilal Nehru's amendment was passed, on February 18th, 1924, by seventy-six votes to forty-eight. Of the forty-eight who voted against it, twenty-three were officials of the Government with no freedom of vote.

New Interpretation of Responsible Government

Hitherto it had never been questioned that the term "responsible government" used in the 1917 Declaration and in the Preamble to the Government of India Act of 1919 was meant to be interpreted as self-government on the lines of that enjoyed by the British Dominions. But in the course of this debate Sir Malcolm Hailey,[1] Home Member of the Government of India and Leader of the Legislative Assembly, for the first time advanced a new interpretation of this term "responsible government." He sought to draw a distinction between full Dominion self-government and responsible government. Referring to the term "responsible government," he said: "If you analyse the term 'full Dominion self-government' you will see that it is of somewhat wider extent, conveying that not only will the Executive be responsible to the Legislature, but the Legislature will in itself have the full powers which are typical of the modern Dominion. I say there is some difference of substance, because responsible government is not necessarily incompatible with a legislature with limited or restricted powers. It may be that full Dominion self-government is the logical outcome of responsible government, nay, it may be the inevitable and historical development of responsible government, *but it is a further and a final step.*"

This subtle distinction is quite untenable. But coming with authority as the official view of the Government of India, in the course of an important debate on India's constitutional development, it was taken as an attempt to whittle down the solemn promise made to India in 1917 and subsequently repeated on more than one occasion. That Indians were right in so regarding it is clear when we compare it with the statement made

[1] Now Governor of the United Provinces.

at the inauguration of the Reforms by the Duke of Connaught speaking on behalf of the King. The words he then used were: "To-day you have the beginning of *Swaraj* within my Empire, and the widest scope and ample opportunities for PROGRESS TO THE LIBERTY WHICH MY OTHER DOMINIONS ENJOY."

Departmental Inquiry Granted

It was in the same debate that Sir Malcolm Hailey announced that the Government had agreed to institute a departmental inquiry into the working of the 1919 Act. This inquiry was instituted. A Labour Government had taken office in England and the Prime Minister, Mr. Ramsay MacDonald, referring to the position in India in a speech in April 1924, said:

"We know of the serious condition of affairs in India, and we want to improve it. As Lord Olivier[1] says, without equivocation, Dominion Status for India is the idea and the ideal of the Labour Government. If I may say so to our Indian friends. Do your bit for British Democracy; keep your faith in a British Government. . . . An inquiry is being held by the Government, which means that inquiry to be a serious one. We do not mean it to be an expedient for wasting and losing time. We mean that the inquiry shall produce results which will be the basis for consideration of the Indian constitution, its working, and its possibilities, which we hope will help Indians to co-operate on the way towards the creation of a system which will be self-government."

Reforms Inquiry Committee

Chairmanship of Sir Alexander Muddiman, the then Home Member of the Government of India and Leader of the Legislative Assembly. In addition to the Chairman, the Committee consisted of Sir Muhammad Shafi, then a member of the Viceroy's Executive Council, the Maharajadahirraja of Burdwan, a large Conservative Bengal landowner, Sir Tej Bahadur Sapru, a former member of the Viceroy's Executive Council, Sir Arthur Froom, Sir Sivaswamy Aiyer, Sir Moncrieff Smith, Mr. M. A. Jinnah and Dr. R. P. Paranjpye.[1]

Terms of Reference

This Committee, generally referred to as the Reforms Inquiry Committee or the Muddiman Committee, was instructed to inquire into the difficulties arising from, or the defects inherent in, the working of the 1919 Act; and to investigate the feasibility and desirability of securing remedies for such difficulties and defects, consistent with the structure, policy and purpose of the Act, either by action taken under the Act and the rules, or by such amendments of the Act as appeared necessary to rectify any administrative imperfections.

The Committee assembled for its first meeting at Simla in August 1924, but its business was interrupted by the Simla Session of the Legislative Assembly and the Pujah holidays. Most of the evidence was presented to the Committee in the latter half of October 1924.

Reactionary Evidence

It happened that before the Committee came to consider its recommendations the Labour Government, which had brought the inquiry into being, had fallen, and had been replaced by a Conservative administration. Bearing this in mind it is interesting to note that,

[1] Afterwards a member of the Council of the Secretary of State.

although the evidence had been closed, when the members of the Committee were called together to consider their draft Report at the end of November, further reactionary witnesses were brought before them who *in camera* gave evidence in flat contradiction to their published written evidence!

Two Reports

There followed two Reports, a Majority and Minority Report. The Majority Report was signed by five members, three of whom were officials, one an ex-official, and the other a representative of European commercial interests. The Minority Report was signed by four members, three of whom were ex-officials, and one a prominent Muslim politician.

In considering the two Reports, however, it is really incorrect to look upon what is called the Majority Report as the view-point of the majority of the Committee. The fact is that only a few weeks after the publication of the two Reports, one of the members who signed the Majority Report, Sir Muhammad Shafi, publicly supported the recommendations of the Minority —as soon, that is, as he was free from the responsibilities of office in the Viceroy's Executive Council.

Apart from a Memorandum prepared by the Government of India on the legal and constitutional possibilities of advance within the Government of India Act of 1919, the Committee had placed before them in considerable detail the written views of all the Provincial Governments on the working of the Act. Very valuable written and oral evidence was also tendered to the Committee by many of those who, either as Ministers or as Members of the Governor's Executive Council, had had intimate experience of the working of the Reformed constitution, on the transferred and reserved sides respectively.

Majority Report

In reviewing this evidence the Majority admitted that, generally speaking, most of the Indian witnesses had criticised the Reformed constitution as having been found, after trial, to be unworkable, and had advocated the immediate grant of provincial autonomy in the Provinces, and the introduction of a measure of responsibility to the legislature in the Central Government.

But although they recognised this, the majority of the Muddiman Committee seemed to take the view that the recommendations, both for the granting of provincial autonomy and for the introduction of a measure of responsibility in the Central Government, were beyond the scope of any recommendations which they were empowered by their terms of reference to make. The whole assumption therefore, underlying the Majority Report, was that it was not their business to question the fundamentals of the 1919 Act, but to examine its working to see whether, and if so what, improvements in its *administration* could be effected and *incidental anomalies* corrected.

Recommendations

They recommended that certain immunities and privileges should be conferred on members of the Executives and Legislatures. They made proposals for increasing the representation of the Depressed Classes and factory labourers in the Legislature. The " Meston Award," which compelled the Provincial Governments to make substantial contributions to the Central Government according to a scale fixed in 1920, and which had been responsible in no small measure in the Provinces for the shortage of funds for the transferred subjects, the Majority suggested should be revised when " a favourable opportunity occurs."

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worked by reasonable men in a reasonable spirit if deadlocks are not to ensue, observed that, in their opinion, the system of Diarchy in the Provinces was, during the first three years, everywhere worked in the Legislatures by men most of whom were professedly its friends and who, generally speaking, tried to work it in a spirit of reasonableness. It was no exaggeration to say—indeed this was also the testimony of several Local Governments—that generally a spirit of harmony and co-operation prevailed between the Legislatures and the Executives, notwithstanding the fact that the atmosphere outside was sometimes markedly unfavourable.

The Indian Ministers and Members of Executive Councils, upon whom new opportunities of service were conferred, appeared to have been, within the sphere of their executive duties, equally eager to work the constitution in a reasonable spirit. "Yet we have been forced to the conclusion," wrote the authors of the Minority Report, "that the existing system had failed and was incapable of yielding better results in the future."

The interest and importance attaching to the views of the authors of the Minority Report were the greater since they were based almost entirely on the conclusions reached by Ministers and Indian Members of the Governors' Executive Councils in all the Provinces and by some of the Provincial Governments.

Diarchy

Perhaps it ought to be explained here that the outstanding feature of government in the Provinces under the present Act is the system known as Diarchy, which divides the administration into two distinct spheres—the *Transferred* and *Reserved* halves of the Government. The most important of the *Transferred* subjects are: Education, Local Self-Government, Medical Relief,

If the 1919 Act had not achieved the expected measure of success, the explanation, they argued, lay mainly in the fact that it was not worked on the lines and in the spirit which was intended. This explanation, however, does not bear examination in the light of the evidence given before the Committee. Also, whilst advancing this explanation, the Majority recommended that the relaxation of the control of the Secretary of State over Provincial Governments in India in cases affecting " purely Indian interests " should be the goal aimed at, and that every effort should be made to establish a practice or convention to that end. They believed that relaxation of control on these lines was a most important channel for constitutional advance within the scope of the Act.

Minority Report

The Minority Report, on the other hand, signed by Sir Tej Bahadur Sapru, who was Law Member in the Viceroy's Executive Council under Lord Reading during the first three years of the Reforms, Sir Sivaswamy Aiyer, Mr. M. A. Jinnah and Dr. Paranjpye (and soon afterwards, as I have pointed out, approved by Sir Muhammad Shafi), showed that, under the 1919 Act, any relaxation of control of the Secretary of State, even if it were possible, could only be of a very limited character. The authors of the Minority Report, therefore, stated they were doubtful if any such convention as that on which the Majority appeared to build their hopes would be of any permanent value, especially when it was realised that it was extremely difficult to define the expression " purely Indian interests."

Conclusions

Further, the Minority, while agreeing with their colleagues that a constitution as a whole requires to be

worked by reasonable men in a reasonable spirit if deadlocks are not to ensue, observed that, in their opinion, the system of Diarchy in the Provinces was, during the first three years, everywhere worked in the Legislatures by men most of whom were professedly its friends and who, generally speaking, tried to work it in a spirit of reasonableness. It was no exaggeration to say—indeed this was also the testimony of several Local Governments—that generally a spirit of harmony and co-operation prevailed between the Legislatures and the Executives, notwithstanding the fact that the atmosphere outside was sometimes markedly unfavourable.

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Sanitation, and Agriculture (but not Irrigation). The most important of the *Reserved* subjects are Law and Order, Finance, Police, Gaols, Labour and Forests.

Transferred subjects are in the hands of Ministers, members of and responsible to the Local Legislatures. *Reserved* subjects are in the hands of the Executive Council, the members of which are appointed by, and responsible to, the Crown alone.

No Real Responsibility

Although under the Government of India Act Ministers in the Provincial Governments, responsible for *Transferred* subjects, must either be members of the Local Legislature or become so within a period of six months from assuming office, and so are apparently responsible to the Local Legislature, their responsibility is not a real one—because they have no corporate responsibility.

The advice of a Minister in an Indian Provincial Government is only a recommendation to a Governor. The Governor may over-rule such advice. Should the Minister be over-ruled on a matter of importance or principle, he may feel compelled to resign—but his resignation does not entail the resignation of his colleagues. They are not a *Cabinet*; there is nothing in the Statute to insist on the principle of the collective responsibility of Ministers.

No Cabinet System

Nor, it may be added, is there anything in that Statute to ensure the joint deliberation of the two halves of the Government, the *Reserved* and the *Transferred*. One or two Governors may attempt to do so, but in ordinary practice the Governor acts with the Executive Council in dealing with the *Reserved* subjects, and with his Minister, usually individually, in dealing with a *Trans-*

ferred subject. Diarchy indeed in the different Provinces, and sometimes at different times in the same Province, has been worked in very different ways.

An Impossible System

One ex-Minister, who appeared before the Reforms Inquiry Committee in 1924, pointed out that the system of Diarchy worked well only so far as it was departed from!

Diarchy Only a Theory

In their written evidence, most of the Provincial Governments expressed themselves in no uncertain terms regarding the system of Diarchy.

"Under the strict principle of Diarchy," said the Bengal Government, "progress would have been impossible, and more than once might have been presented the spectacle of a Government divided against itself—a distinct cleavage of opinion between the reserved side of the Government and the Ministers.

"Such would have been the effect of a system based on the literal adherence to the system of Diarchy. But matters never reached this stage. . . . Political considerations soon made it apparent that Diarchy could be little more than a theory. . . .

"The Majority of the educated classes in Bengal, or at any rate the most vocal portion of them, desire provincial autonomy as early as possible, and the difference between the two sections is merely as to the best means of attaining that end, whether by working the transitional constitution or wrecking it. . . .

"It was a common cry that the transferred departments were being starved at the expense of the reserved departments. It was no wonder that when, under the reformed system, the popular Ministers were unable through lack of money to produce and carry out schemes

of development in education, public health and the like, the system has been condemned in many quarters."

The Minister of Industries in Madras gave his experience of the system of Diarchy in connection with the Department for which he was responsible in these words: "I am Minister of Development minus Forests, and you all know that development depends a good deal on forests. I am Minister of Industries without Factories, which are a Reserved subject, and industries without factories are unimaginable. I am Minister of Agriculture minus Irrigation. You can understand what that means. How agriculture can be carried on extensively without irrigation in the hands of those who are responsible for it is rather hard to realise. I am also Minister of Industries without Electricity, which is also a Reserved subject. The subjects of Labour and Boilers are also Reserved."

A Cumbrous, Complex, Confused System

"Diarchy," in the words of the Governor of the United Provinces, "is obviously a cumbrous, complex, confused system, having no logical basis, rooted in compromise, and defensible only as a transitional expedient. . . . The difficulties and defects inherent in the scheme are quite incurable by any mere alteration of the Act or Rules. The utmost that changes so restricted could do would be to oil the wheels of the constitutional machinery —they could have no effect on the general and permanent tendency of the constitution itself. . . . There is no halfway house between the present and a new constitution. On the demand for the latter the Governor expresses no opinion; it is outside the scope of the present inquiry. But he is clear that concessions which fall short of complete provincial autonomy will placate no section of the opponents of the existing system; and that they will lower the efficiency, already impaired, of the administration."

Defects Inherent

The Governor of Bihar and Orissa is hardly less scathing in his condemnation of the system. He reported that "there is very little that can be done to smooth the working of Diarchy or to eliminate the different administrative imperfections. Whatever defects exist are inherent in the system itself. . . . It is workable now, though creakily. The few minor remedies may cure a creak or two, but they will affect the large question in no degree whatever."

Impossible of Success

And yet another witness might be called, Mr. E. Villiers, who twice represented a European constituency in the Bengal Legislative Council and refused to submit himself for a third term of office, because of the impossibility of success of the "Reforms" we have given India as a system of government. His condemnation is in these words:

"I hold them (the Reforms) to be wrong in practice, since, if we are going to carry out the policy of teaching India how to rule herself with the maximum of efficiency and at the minimum of cost, if we are to teach her a sense of 'political responsibility,' we are going the wrong way to do it. Instead of teaching her responsibility, we are teaching her irresponsibility. Until the Reforms are re-cast, until they are applied solely to the Provinces as separate States, until such subjects as are 'transferred' (no matter how small or how unimportant these may be) are transferred lock, stock and barrel, uninterfered with by Governor and uninfluenced by the Government votes in the Councils, until all this is done (even given that the principle of democracy is right for India) I see no hope for the success of the Reforms. In these circumstances, then, feeling as I do strongly on the question, I do not think that I can any longer serve your interests or the interests of the Province to advantage."

Diarchy Condemned by Lords

After we had repeatedly refused to listen to every representation as to the unsatisfactory nature of the 1919 Reforms, and the unworkability of the central principle on which they were based, Lord Curzon, in the debate which took place in the House of Lords on the Muddiman Report,[1] announced blandly, "I abominate Diarchy," and the then Secretary of State for India, Lord Birkenhead, said that he was "always distrustful of the diarchical principle . . . which was unlikely to make a successful appeal" to the Indian peoples.

And this impossible system was the system which we were responsible for having imposed on the Indian people, as a first step towards full self-government in fulfilment of our solemn promise made in 1917!

No Real Responsibility

The Minority Report, summarising the chief reasons for the failure of the 1919 constitution, pointed out that there were inherent defects of the constitution which, though theoretically obvious at its inception, had, after three years' working, been clearly shown to exist; that the Ministers' position had not been one of real responsibility; and that the close connection between the subjects of administration which had been divided into "reserved" and "transferred" had made it extremely difficult for the Legislatures at times to make in practice a distinction between the two sections of the Government —with the result that the policy and administration of the Reserved half of the Government had not infrequently been potent factors in determining the attitude of the Legislatures towards Ministers, and had also prejudiced the growth and strength of parties in the Councils.

[1] *House of Lords Debates*, July 7th, 1925.

Irremovable Executive

Further, with regard to the government at the centre, the Minority Report recalled that the criticism of the "Congress-League" scheme in the Montagu-Chelmsford Report of 1918, had been demonstrated to be true in actual experience by the working of the 1919 Reforms.

The "Congress-League" scheme, it should be pointed out, was a joint scheme of political reform put forward by the Indian National Congress and the All-India Muslim League in 1916. In December 1916 these two bodies, at a series of memorable meetings at Lucknow, agreed to adopt certain joint proposals. They were really an elaboration of certain proposals for political reform which had been submitted two months earlier to the Government of India by nineteen elected members of the Indian Legislative Council, but with the addition of certain special provisions to secure Muslim interests.

The Montagu-Chelmsford Report in 1918 strongly criticised the part of the "Congress-League" scheme referring to the Central Government. This criticism had pointed out the defects of having an irremovable Executive with an elected majority in the Legislature. In the actual words of the Montagu-Chelmsford Report:

"... wherever as in Canada or Malta attempts have been made to set up an irremovable Executive and a popular Assembly, acute conflict has ensued and has resulted in either an advance to popular government or a return to autocracy."[1] Yet it was just such an irremovable Executive and a popular Assembly which the 1919 Reforms imposed upon India at the centre! And the working of the Reforms had shown the fundamental impracticability of such an arrangement and had, therefore, proved by actual experience the truth of the criticism in the Montagu-Chelmsford Report.

[1] *Montagu-Chelmsford Report*, pp. 138-9.

Thus their inquiry had proved, the Minority of the *Reforms Inquiry Committee demonstrated, that the only* cure for the present state of affairs was to replace Diarchy by responsible unitary government in the Provinces, and at the same time to introduce responsibility in the Central Government with regard to civil administration.

Constitution Must be Put on Permanent Basis

They agreed that the Army, Foreign, and Political Departments should be reserved meanwhile in the Viceroy's hands.

"We think the Bihar Government," wrote the Minority in the concluding paragraph of their Report, "has correctly summed up the position in the Provinces by saying that Diarchy is working 'creakily' and 'minor remedies may cure a creak or two.' We have examined in detail the sections of the Government of India Act and the Rules made thereunder with a view to see how far 'creaks' discovered can be 'cured.' We are satisfied that this process, though it may lead to some improvement of the administrative machinery in some respects, will not produce any substantial results. We do not think that the suggested amendments if effected will afford 'valuable training towards responsible government' or will provide any solution of the difficulties which we have discussed in our chapter on political conditions, or that they will strengthen the position of the Provincial Governments in relation to their Legislatures, or that of the Central Government in relation to the Assembly.

"The majority of our colleagues say that no alternative transitional system has been placed before us. We think that no such alternative transitional system can be devised which can satisfactorily solve the administrative or political difficulties which have been brought to our notice. To our mind the proper question to ask is not

whether any alternative transitional system can be devised but whether the constitution should not be put on a permanent basis, with provisions for automatic progress in the future so as to secure stability in the government and willing co-operation of the people. We can only express the hope that a serious attempt may be made at an early date to solve that question. That this attempt should be made—whether by the appointment of a Royal Commission with freer terms of reference and larger scope of inquiry than ours or by any other agency—is a question which we earnestly commend to the notice of the Government."[1]

The Reports of the Reforms Inquiry Committee were published in March 1925, when the Legislative Assembly was in session. The recommendations of the Majority—limited as they were by the narrow field within which, according to their interpretation of the terms of reference, they were permitted to make proposals—satisfied no section of Indian opinion, and were regarded as totally inadequate to the constitutional situation which required attention.

But there was some hope that, in face of the evidence given before the Committee, and in face of the authoritative view so strongly expressed by the signatories of what was only technically the Minority Report, the Government could no longer fail to realise the urgency of a re-consideration of the whole constitutional question. Hopes were further raised by the announcement that Lord Reading, the Viceroy, had been invited to England to confer with the Secretary of State.

The Swarajist Party, however, still remained sceptical as to the likelihood of any change in the Government's attitude, notwithstanding the recommendations of the Minority Report.

[1] *Report of the Reforms Inquiry Committee* (1924), pp. 202-3. Cmd. 2360.

Chapter IX

THE INDIAN NATIONAL DEMAND

Moderate and Congress Views

If the Moderate elements in Indian politics did not follow the negative policy of Non-co-operation pursued by the Congress it was not due to any difference between themselves and the Congress as to the acceptability of the Reforms. The difference was merely a difference of method. They were prepared to and did co-operate in trying to work the Reforms for what they were worth, but with the conviction that the inherent faults of the constitution would be made manifest thereby.

Indians found it difficult to believe that even a Conservative Government at Westminster could remain inactive in view of the overwhelming evidence given before the Reforms Inquiry Committee of the failure of the 1919 Reforms to achieve the object of those who had framed them. In his speech to the Bengal Provincial Conference at Faridpur in May 1925, Mr. C. R. Das, whose hold on popular opinion in India at the time rivalled that of Mr. Gandhi, showed the hope of a settlement entertained even by Congress opinion in India.

Lord Birkenhead on Diarchy

The conversations which took place between the Viceroy and the Secretary of State in London in June 1925 were watched with close interest in India. But when Lord Birkenhead in a speech in the House of

Lords on July 7th, 1925, disclosed the outcome of these conversations, it was seen that it amounted to nothing at all.

It is true that he had hard things to say about Diarchy, which was the basic principle of the 1919 reforms. The diarchical principle, he admitted, "seemed to savour of the kind of pedantic, hide-bound, constitution to which Anglo-Saxon communities had not generally responded, and which . . . was unlikely to make a successful appeal to a community whose political ideas were, thanks in the main to Macaulay, so largely derived from Anglo-Saxon models." Whilst contending that Diarchy had "neither altogether succeeded, nor altogether failed," he said that "where it had succeeded the price of success had been, at some stages and in some districts, a considerable inroad upon the diarchical principle."

Referring to the appointment of a Statutory Inquiry at the end of a ten-year period, Lord Birkenhead observed that "wise men are not the slaves of dates; rather dates are the servants of sagacious men." But as he held out no immediate hope of action along the lines of the Minority Report of the Reforms Inquiry Committee, nor indeed of any fundamental revision of the Reforms, his reflections as to dates lost most of their relevance.

This speech marked a definite set-back to Indian hopes. And the following months brought nothing to relieve the sense of failure felt by reasonable men in India in their efforts to persuade the British Government of the necessity of constitutional changes.

Even the Majority Report of the Reforms Inquiry Committee, totally inadequate as it was even from the Moderate standpoint, was shelved in so far as it favoured anything more than minor adjustments in the 1919 scheme. And there was long delay before these minor adjustments were made.

Lord Birkenhead's Challenge

In the course of his speech Lord Birkenhead had challenged Indians themselves to provide a constitution which carried behind it a fair measure of general agreement amongst the peoples of India.

The Indian National Demand

This challenge was taken up in the Indian Legislative Assembly when a resolution proposing the approval of the principle of the Majority Report came before it in September 1925. To this resolution Pundit Motilal Nehru moved an amendment embodying what came to be known as the " Indian National Demand." The " demand " consisted of two main parts. It called upon the Government to take steps to have a Declaration made in Parliament embodying certain fundamental principles —the Declaration to be made in the House of Commons in exactly the same way as the Declaration of August 20th, 1917. It also set out the principles which should there be laid down if they were to be in accordance with Indian political opinion.

The principles of the amendment may be summarised briefly. There was to be responsible government in the Central Legislature. The Executive were to be responsible to the Legislature except in certain particulars, namely—expenditure on the military services up to a fixed limit, expenditure classed as " political " and " foreign," and payment of debts and liabilities. In the Provinces there would be provincial autonomy and the abolition of Diarchy. The right was claimed for India to be able to change her own constitution after the transitional period during which Britain retained certain powers of interference. There were eight fundamental changes in the constitutional machinery and administration of India which should be embodied in the Declaration of Parliament.

Round Table Conference Asked For

In addition to asking for a declaration in Parliament of these principles the Government was asked to constitute a Round Table Conference, or, as Pundit Motilal Nehru said, " whatever agency you like, it does not matter to us by what name you call it, but it must be a representative agency, adequately representative of all Indian, European, and Anglo-Indian interests." This agency would frame a scheme, with due regard to the interests of all the minorities. This scheme would be laid before Parliament—in accordance with the precedent established in such matters in our relations with the existing Dominions—and then embodied in a Statute.

Its Functions

Pundit Motilal Nehru made it clear that the appointment of the Statutory Commission, or whatever agency was to be employed, was not merely a question of time. It was a question of substance, of what this body was actually going to do. " Was it merely to come and begin at the beginning as was laid down in section 84a of the Government of India Act ?[1] Was it to go into questions like these: What is the state of education? What progress have representative institutions made in India, whether

[1] Section 84a of the Government of India Act is as follows: " At the expiration of ten years after the passing of the Government of India Act, 1919, the Secretary of State, with the concurrence of both Houses of Parliament, shall submit for the approval of His Majesty the names of persons to act as a commission for the purposes . . . of inquiring into the working of the system of government, the growth of education, and the development of representative institutions, in British India, and matters connected therewith, and the commission shall report as to whether and to what extent it is desirable to establish the principle of responsible government, *or to extend, modify, or restrict* the degree of responsible government then existing therein, including the question whether the establishment of second chambers is or is not desirable. . . ." (*Italics* mine.)

these people deserve any further progress, or whether it is necessary to send them down a form or two to learn their lessons better, and come better prepared for another commission ten years later ? If so, it was quite obvious, even at this stage, that it would be quite unacceptable to India.

The Preamble to the Act

Lord Birkenhead had reiterated in the House of Lords that the Preamble to the 1919 Act was to be " permanent and static." It had been laid down in that Preamble, as I have previously pointed out, that Parliament alone was the judge of India's fitness for any extension of responsible government and, if so, of " the time and manner of each advance." He went on to say that " conformably with the principles laid down in the Preamble one constitution or another might at one time or another be attempted. Experience, education, or our informing critics in India might induce us to make an amendment here or an advance or a variation there, but the whole message, as we understand it, of our situation in India, with all that it involves in the storied past, in the critical present, and in the incalculable future, is to be read in that Preamble."

This attitude towards the Preamble, declared Pundit Motilal Nehru, was one which India could not accept in any circumstances whatever. The fundamental principle on which a constitution for India was to be based must be the principle of self-determination. He agreed that wise men are not the slaves of dates, but added pointedly—neither are wise men the slaves of Preambles.

Opportunity Lost

After three days' debate the amendment embodying India's National Demand was approved by 72 votes to 45 in the Legislative Assembly which, after the entry of

the Congress Party in 1923, had become truly representative of every shade of political opinion in India.

This demand met with no better fate than the previous appeals to India's rulers. As usual nothing happened. An inevitable consequence was the swing of popular opinion away from the paths of co-operation. The opportunity thus presented of meeting the virtually unanimous desire of India's political leaders was lost.

Growth of Communalism

The developments of the following year made this an even more serious calamity. In the political uncertainty which had prevailed since 1919 there had grown up in India a development which was to dog all the subsequent efforts towards a settlement. This development was the growth of communalism.

So long as India's political future remained uncertain, so long as there was a British Government to give or withhold constitutional advance, or places and privileges in any new constitution, a premium was placed on claims for party and all other merely sectional considerations. The fact that the communities in India were divided along the lines of religions led to the exploitation of those religious differences for ends which in reality were purely secular.

Communal differences in general, and Hindu-Muslim differences in particular, are commonly referred to as if they were essentially religious in their origin. That is certainly not the case. They often have a purely secular origin, and arise from the anxiety, or sometimes from the exploitation of the anxiety, of the different communities in India to see their claims adequately recognised in any future constitution.

In Calcutta, in April 1926, Hindu-Muslim rioting broke out, and gradually spread, affecting many of the larger urban areas. During the twelve months that

followed tragic intercommunal disorders threw a shadow over the Indian public life.

When Lord Irwin took up the Viceroyalty in 1926 it was, therefore, in an India of despair. All efforts in India to exorcise the evil spirit of communalism had met with only partial success, and all the efforts which had been made by political India to drive home to the Government the necessity of constitutional revision had met with even less success. Neither the friendly reasoning of the first Assembly, nor the gesture of co-operation implied by the entry of the Swarajist or Congress Party into the second Legislative Assembly, nor the unanimous request of all shades of opinion which was embodied in the National Demand, had induced any change of the Government's blind adherence to the terms of the Preamble to the 1919 Act.

Lord Irwin found an India in which confidence in the *sincerity of British declarations had practically dis*appeared, and in which belief in the method of reason as a means of persuading Britain was fast being replaced by a conviction that more desperate methods were the only kind that were likely to be of any effect.

Chapter X

APPOINTMENT OF THE STATUTORY COMMISSION

Date Advanced

The National Demand made by the Indian Legislative Assembly in September 1925 was ignored by Whitehall for eighteen months. In March 1927, however, they intimated that they had decided to advance the date of the setting up of the Statutory Commission without waiting for the expiry of ten years. This decision was made public in the House of Lords by the Secretary of State for India, Lord Birkenhead. Had the announcement come some two years earlier, it would have been received with enthusiasm in India. Coming as it did at a time when there was no special demand for it, and when Indians were looking forward with hope to a change of government in Great Britain at the next General Election, it fell flat. Indians realised that the Government had lost much of its hold on the British electorate. They read into this announcement an endeavour (by what they considered to be a reactionary administration) to settle India's constitutional question in a much less favourable way than might have been expected from a more progressive administration. They also felt that the time was ill-chosen, while the wounds left by the serious communal disturbances of 1926-7 were still unhealed.

They regarded it simply as characteristic of the perversity which ruled Whitehall that the announcement of the impending appointment of the Commission should

be made at the very moment when India's demand was least insistent. Not only was it considered inopportune, but there was another matter connected with the decision to which they attached even greater importance.

Dangers of Excluding Indians

For some time before Lord Birkenhead's speech there had been rumours that the British Government contemplated the appointment of a purely parliamentary commission from which Indians would be excluded. As time passed, these rumours grew.

In a letter to the *Pioneer*, of Allahabad, published on June 20th, 1927, Sir Tej Bahadur Sapru warned the Government of the disastrous consequences which would inevitably ensue if a commission with such a limited personnel were appointed. In the course of this letter he said:

"Already a section of Indian opinion, by no means negligible, either from the point of view of numbers or its capacity to create feeling on the subject, is pressing for a Round Table Conference. It should not, therefore, be difficult to imagine that an exclusively parliamentary commission, with no Indian element in it, can make no appeal to any section of Indian opinion, and it must start on its work with the very serious handicap that it will not carry with it Indian confidence and support.

"It is true that Parliament has reserved to itself the right to determine the time and manner of each advance, a position which has for many years been stoutly contested by certain parties in India. But there is nothing in the words of the Statute to show that Parliament cannot appoint Indians to such a commission, or that it is bound to appoint only those who happen to be its members."

Anticipating the argument that if Indians were included in the Commission, it might lead to divided conclusions instead of to a unanimous report, Sir Tej

Bahadur Sapru asked: "How many commissions of this character have produced absolutely unanimous reports?" Moreover, he added, "it is far better that different points of view should be brought out and placed before Parliament than that the Commission should submit a unanimous report in a hurry and legislation should be undertaken on its basis in view of the party exigencies in England."

Another distinguished Indian, who could also speak with authority, was Sir Sivaswamy Aiyer. In an interview to the Press in July 1927 he associated himself with Sir Tej Bahadur Sapru's warning, and further asserted that "Neither the device of co-option (of Indians) nor the appointment of (Indian) assessors will serve the purpose or satisfy the Indian public." He added: "The idea that the Commission should be composed of a few Englishmen only is absurd, and proceeds upon the mistaken assumption that Englishmen occupy the position of thorough disinterestedness and impartiality. How can that position be ever accepted by Indians, or, for the matter of that, by any impartial observers? . . . Having regard to the conflict of interest which is believed to exist between the powers that be and the Indian people, Englishmen will be considered to be as much open to the influences of partisanship. . . ."

Indian Warnings Disregarded

Neither Sir Tej Bahadur Sapru nor Sir Sivaswamy Aiyer are men of extreme or irresponsible political opinion. It might have been expected that views coming from such quarters would have been heeded by the Government. But when, finally, the appointment of the Statutory Commission was announced on November 8th, 1927, it was found that these warnings, and the very definite indications given in public

utterances by other responsible leaders in India, had been completely disregarded.

Personnel of Commission

The Commission appointed consisted of seven Englishmen, chosen from the British Parliament. The Chairman was Sir John Simon, who had not then seceded from the official Liberal Party. The Conservative Party was represented by two members of the House of Lords, Viscount Burnham and Lord Strathcona, and two members of the House of Commons, the Hon. E. C. G. Cadogan and Colonel G. R. Lane-Fox. The Labour Party, then His Majesty's Opposition, was represented by Major C. R. Attlee, and Mr. Stephen Walsh, who however was unable to act and was replaced by Mr. Vernon Hartshorn.

Although *The Times* referred to these seven commissioners as "men of industry, common sense and good temper," even it felt constrained to add that with the important exception of the Chairman, none was in the front rank of political leaders.

Indian Opposition

But to India the standing of the personnel mattered far less than the exclusion of Indians from the Commission. The announcement of such a commission, exclusively European in character despite the well-known views of India in this matter and the practice in the past, was calculated to provoke the strongest opposition in India from all political sections.

Indians resented no less the fact that Indian leaders were never consulted by the Government on the question of the composition of the Commission, although it was Indian interests which were concerned in its deliberations. It is true that shortly before the announcement was made some Indian leaders were called to Delhi,

but only to be informed by the Viceroy that the nature of the Commission had already been finally decided upon by His Majesty's Government.

Simultaneously with the announcement of the appointment of the Commission, a statement was issued by the Viceroy. In this statement two reasons were given for the appointment of the Commission at that particular time. One reason was that there were signs of a growing tendency to co-operate with the Government. The other was a fear that to delay the appointment was to encourage an increase in communal trouble.

Suggested Procedure

The Viceroy announced that His Majesty's Government could not dictate to the Commission its procedure, but they suggested that its task in taking evidence "would be greatly facilitated if it were to invite the (Indian) Central Legislature to appoint a Joint Select Committee, chosen from its elected and nominated unofficial members, which would draw up its views and proposals in writing and lay them before the Commission for examination in such a manner as the latter may decide." This Committee would remain in being for any consultation which the Commission might desire at subsequent stages of the Inquiry. But the existence of such a Committee "would not limit the discretion of the Commission in hearing other witnesses." It was also suggested that a similar procedure might be adopted for the Provincial Legislatures.

It was further stated that after the Commission had reported, and its report had been examined by the Government of India and by His Majesty's Government, it would be the duty of His Majesty's Government to present proposals to Parliament. But it was not the intention of His Majesty's Government to ask Parliament to adopt these proposals without first giving a full

opportunity for Indian opinion of different schools to contribute its views upon them. And to this end, ran the Government statement, "it is intended to invite Parliament to refer these proposals to consideration by a Joint Committee (of both Houses of Parliament) and to facilitate the presentation to that Committee both of views of the Indian Central Legislature by delegations who will be invited to attend and confer with the Joint Committee, and also of the views of any other bodies whom the Joint Parliamentary Committee may desire to consult."

The announcement of the Commission, which was made simultaneously in the British Parliament and at Delhi, was followed in India by an immediate condemnation of the whole conception of the Commission as embodied in the announcement.

With regard to the explanations advanced in the Viceregal statement in justification of the Government's action in appointing the Commission, an important organ of Indian opinion observed that "they were as revealing as the decision itself." It caustically noted that it had taken the Government nearly eight years to realise that "the uncertainty of what constitutional changes might be imminent may have served to sharpen" communal antagonism. It added that this patent fact had been repeatedly impressed upon the Government's attention by Indian leaders. The Government had wilfully shut their eyes to it and refused to do anything.

An Unfortunate Decision

The Viceregal statement made it clear that the Government had also been influenced in its decision to set up the Commission at this juncture by "the growing tendency for co-operation" in India. But if this was an important motive, then, as Sir Mohammed Shafi emphasised in an interview on the following day, the

Government had committed a grievous mistake in excluding Indian representatives from the Commission. The decision, he said, was unprecedented, not only in the past history of British India, but also of the British Empire.

Not only was the whole procedure proposed by the Government condemned by Indian leaders from the extreme Left to the extreme Right, but there was a clear indication that if the proposals were persisted in the Government would have to reckon with a vigorous and widespread boycott.

Chapter XI

THE BOYCOTT OF THE COMMISSION

British Labour View

The strong opposition to the exclusively British character of the Commission shown on all sides in India was shared in Britain by a body of opinion represented by the Labour Party. A considerable section of the British Labour Party would have preferred the Party to have refrained altogether from participation in any such Commission. But when the matter was put before the Parliamentary Labour Party, the Party had already been committed by their leader and had to face the realities of the British political situation.

The Labour Party, it should be remembered, was the official Opposition and not the Government. The alternatives open to it were either to withdraw its members or, whilst disapproving of the methods of appointing the Commission, and having no responsibility for the failure of the Government to prepare or consult Indian opinion beforehand, to be represented on the Commission and press for a modification of the Government's original proposals so as to bring them more nearly into line with Indian views. In the circumstances they decided that the best course was to follow the second of these alternatives.

Labour Party Resolution

On November 9th, 1927, the Parliamentary Labour Party passed a Resolution, in which the announcement of the previous day was criticised, and expressed its

intention to " endeavour to secure such an improvement in the procedure as would make it possible for a self-respecting people to co-operate heartily in making the inquiry a great contribution to the welfare and democratic advance of the Indian people."

Modifications Agreed On

Following on this, various meetings took place between Lord Birkenhead, Sir John Simon, and a sub-Committee appointed by the Parliamentary Labour Party consisting of Mr. Ramsay MacDonald, Mr. Philip Snowden, as he was then, and Mr. George Lansbury. It was understood that as a result of their consultations the principle of equality as between the Statutory Commission and the Indian Committee would be observed. These two bodies would hear evidence together, and together have the right of examining and cross-examining the witnesses. Further, they would not try to pass resolutions " except in so far as they were all agreed."

Unfortunately, it was not until November 24th that the Government made any statement indicating this modification of its original proposals. Nothing was done to counteract the disastrous impression which it had created in India by its original announcement.

Boycott of Commission

Meanwhile, on November 17th a manifesto was issued in India stating that the many representative Indian leaders, who appended their signatures, could not take any part or share in the work of the Statutory Commission, as at present constituted, and demanding a Commission " whereon British and Indian statesmen shall be invited to sit on equal terms." Amongst others who signed this manifesto were such respected leaders as Sir Tej Bahadur Sapru, Sir Chimanlal Setalvad, Mr. Jinnah, Sir Abdur Rahim, Sir Ali Iman, Sir Phiroze

Sethna, Sir Sivaswamy Aiyer, Dr. Annie Besant, Mrs. Sarojini Naidu, Sir Purshottamdas Thakurdas, and Moulvi Muhamad Yakub, Deputy President of the Legislative Assembly.

On November 24th a debate on the Statutory Commission took place in the House of Lords. At last a statement was forthcoming from the Government. But Indian opposition to the Commission had already hardened—and the debate did nothing to change the Indian attitude.

Labour Party Second Resolution

On the day before the debate took place in the House of Lords the Labour Party passed a second resolution. It regretted that the Government, before making its original proposals in connection with the Indian Commission, did not secure the co-operation of the representatives of the Indian people. In the opinion of the Labour Party, this resolution stated, the Commission appointed to proceed to India should make it its primary duty from time to time to consult on equal terms with the Committee appointed by the Indian Legislature; there should be joint meetings of the two Commissions for the taking of evidence (though not to the exclusion of either body taking other evidence by itself); after all the evidence had been heard and the inquiries made, further consultations between the two Commissions should be held; the Reports of both Commissions should in due course be presented to the Joint Committee of the two Houses of Parliament.

This resolution was the result of the meetings of the three members of the Parliamentary Labour Party with the Secretary of State, Lord Birkenhead, and Sir John Simon at which the modifications of the Government's proposals which it contemplated had been informally reached.

The Government took the view that it could not dictate to the Commission on the question of procedure. But it was none the less a fact that the Labour Party had been able to effect considerable modifications of the original proposals made by the Government in that connection.

Indeed, had the modified procedure formed the offer in the beginning, there might possibly have been no boycott—especially if Indian opinion had been properly consulted before any final decision was taken or any announcement made. Even at this late hour, if Sir John Simon and his fellow-members of the Commission had made an immediate announcement concerning the procedure which they proposed to adopt, it might have eased the situation in India and led to a better appreciation of the efforts made in this country to bring the Government's scheme into line with Indian opinion.

What even moderate India demanded was that Indians should be associated with the Commission on terms of complete equality with the British members. Yet, notwithstanding the improvements which the Labour Members of Parliament had been able to effect, the impression persisted in India that the scheme to be followed did not grant that equality.

Commission as a Jury

Unfortunately, Lord Birkenhead's speech in the debate in the House of Lords on November 24th was hardly such as to convince Indians that when the Government spoke of "equality of status" as between the Simon Commission and the Indian Committee they really meant it. It was useless to speak of equality of status and speak at the same time, as did Lord Birkenhead, of the seven British Commissioners going out to India as a "jury," which was to come back to give the honest result of the examination which *they* had made of Indian politics.

Parliamentary Discussion

In dealing with this question of equality of status in the debate in the House of Commons on November 25th, Mr. Ramsay MacDonald, speaking on behalf of the Labour Party, said that the suggestion underlying the original announcement of the Commission and the means of associating Indians therewith was that there was to be from the very beginning a "marked relationship of inferiority." "What should be emphasised," he said, "is exactly the opposite, namely, that this Parliament here is sincerely determined that there should be no sense of inferiority and no relationship of inferiority imposed upon this Indian Commission."

Mr. MacDonald then came to the points which had been the subject of negotiation between the Labour Sub-Committee and the Secretary of State, and said: "I hope the intention is—and I am sure if this intention is not carried out the Commission that we are going to appoint to-day will not be as successful as it could be if properly handled—to go to India and to see at once our colleagues appointed by the Indian Legislature, to get their statements, to exchange views with them, to negotiate with them—as a matter of fact regarding them just as Hon. Members opposite sitting on a committee would regard Hon. Members from this side of the House sitting on the same committee, using their common experience and common intelligence and common ideas for the purpose of producing the very best report a committee can produce."

Mr. George Lansbury, who was also a member of the Labour sub-Committee, expressed the opinion that the modified scheme, which was now proposed, fulfilled in practice the demand the Indian Assembly itself had sent forward for the Round Table Conference between the representatives of the two countries. And he added:

"If I am wrong, I hope I shall be corrected when the Prime Minister replies."

Unfortunately, Mr. Baldwin's reply at the conclusion of the debate was too general in character to convince Indians that the scheme as outlined by Mr. MacDonald and Mr. Lansbury was in fact the scheme which the Government proposed to follow. "Let Indians," said Mr. Baldwin, "dismiss from their minds all thought of inferiority. They will be approached as friends and as equals." But it did not go unnoted in India that the particular formula which had been advanced by the two Opposition leaders was not specifically accepted in his speech; and in my tour throughout India immediately afterwards I found it impossible to persuade even moderate Indian leaders that it was *not intentionally omitted*.

The result of these two debates was to leave the situation in India unchanged. As weeks passed it was obvious that the boycott of the Statutory Commission by all important political groups in India was inevitable, failing a more radical change in the procedure.

Indians' Mistrust

I was in India from December 1927 to the end of the third week of January 1928. During this period I met Indians of all shades of opinion, official and non-official, and of every community and caste, in all parts of India, and never did I find such unanimity amongst them and such distrust of the *bona fides* of Great Britain.

I tried time and again to explain the improvements on the original proposals which had been secured as a result of pressure *from the Labour Party. But I found* that Indians were incredulous. They did not believe that there was any intention of associating Indians on a footing of real equality in the work of the Commission—and in the absence of that they were determined to have nothing to do with the Commission.

agreed to by the Secretary of State and Sir John Simon with the three members of the Parliamentary Labour Party. The Viceroy was of the opinion that such a statement would make a great difference to the resolutions that might be passed at the various Conferences at Christmas.[1]

The Secretary of State refused to make any such statement on the ground, I understand, that Sir John Simon took up the position that the Statutory Commission having been appointed, it was not competent for the Government to make any further statement. The only person from whom a statement could now come would be himself, as Chairman of the Commission.

The failure to make such a statement made Indian insistence on the boycott inevitable. I was assured by leading Indians that if I could get a satisfactory reply to my cable, the grounds on which they intended to boycott the Commission would be swept away. They believed that the Labour leaders might have got an admission from the Government, but that the Secretary of State had no intention of tying up either the Government or the Commission by putting the agreement clearly in words. The Indian view was that Sir John Simon would act on his terms of reference, and would be bound only by them, and not by "secret" agreements arrived at between the Government and the Labour leaders.

In view of what I definitely learned from members of the Indian Governments as to the reports that were being prepared for submission to the Commission as confidential documents, I cabled later with great regret that the boycott, in my view, seemed to be justified. Such reports were directed against any extension of the Reforms, and, being confidential, would not be sub-

[1] In India Christmas is the time of meeting of many important Conferences, such as the Indian National Congress, the Liberal Federation, and so on.

mitted to the Indian Committee who might have been able to dispute them. I was satisfied that there was no intention on the part of the various Governments in India of keeping to the terms of the agreement come to with the Government in England.

Indian leaders assured me that time and again they had relied on Government promises and had been disappointed. Without having definite assurance of the Government's real intentions, they would not take any part in calling off the boycott.

There was another and a serious element in Indian mistrust at that time. Miss Katherine Mayo's much talked-of book, *Mother India*, had recently appeared. It appeared at the most critical moment in India's political fortunes, at a time when it could be calculated to do the most harm and create the most prejudice against her. Indians inevitably believed that the book had been published purposely at this juncture, in order to make the worst possible atmosphere.

There were two editions of the book, an American and an English one. Readers of the English edition will remember that it made a very grave attack on the Hindus and Hindu society. In the American edition there were various attacks made on the Mussulmans—but these were omitted from the English edition. Why were they so omitted? Hindus who had read the American version had only one answer—because it was the British policy to support the Muslim minority against the Hindus. They observed that in India Miss Mayo seemed to have been entertained by high officials, and shepherded about by members of the Criminal Investigation Department.

All these views I wrote out very fully for the benefit of members of the Simon Commission, and left the letter at Aden so that they might get it—as they did—a week before they reached India. In that letter I said: "*If* the arrangement come to with Birkenhead is as I

say, for God's sake get Simon to say so clearly as soon as possible—otherwise all the best elements in the country will continue to boycott."

No announcement was made however by the Simon Commission, either before reaching India or on their landing at Bombay. It was not until after they had reached Delhi, when the boycott was in full swing, that Sir John Simon sent his letter to the Viceroy suggesting the appointment of Indian Committees to sit with the Commission.

Congress Resolution to Boycott

I was present in Madras at Christmas when the Indian National Congress passed a resolution that the Commission should be boycotted "at every stage and in every form, that mass demonstrations should be organised throughout India, that vigorous propaganda should be carried on to make the boycott effective and successful and that elected members of all legislative bodies should refuse to help the Commission and should abstain from attending meetings of the Legislatures except for certain specified purposes, such as opposing any measures detrimental to the interests of India."

Moderates Also Decide to Boycott

I found moderates no less determined than extremists to effect a complete boycott of the Commission. The Annual Conference of the National Liberal Federation of India at Bombay passed a resolution declaring that the constitution of the Commission was unacceptable, because it denied the right of the Indian people to participate on equal terms in framing the future constitution of their country, and recommending that the legislative bodies and public bodies throughout the country should have nothing to do with the Commission at any stage or in any form.

mission on their arrival in Bombay on February 3rd. The flaunting of black flags and of banners inscribed with the words SIMON GO BACK symbolised the united determination of political India to boycott the Commission.

Commission's Delay

It must be borne in mind that notwithstanding the modifications in the Commission's procedure which it was understood had been achieved as the result of pressure from the Labour Party in England, up to that time neither the Government nor Sir John Simon had made any authoritative statement in the matter. All that Indians had to go upon were the speeches of Lord Birkenhead and Mr. Baldwin in the parliamentary debates in November. And these speeches, as we have seen, were too vague to convince people in India that a very considerable modification of the original proposals had been secured.

It was not until February 6th, after Sir John Simon had reached Delhi, that the suggested modified procedure took official shape in a letter addressed to the Viceroy. Had this procedure been put forward two months sooner, it might have sufficed to make the Commission acceptable to Indian politicians. But any possibility of its acceptance was by now out of the question.

"We have most carefully considered the line of procedure indicated in the statement of Sir John Simon issued to-day," Indian leaders declared in a manifesto, "but our objections to the Commission as constituted, and the scheme as announced, are based on principles which remain unaffected by it. In the circumstances we must adhere to our decision that we cannot have anything to do with the Commission at any stage or in any form."

In his presidential speech Sir Tej Bahadur Sapru said that the Liberal Party in India must repudiate not only the Commission, but the entire spirit in which the question of India's future advance had been approached by Parliament.

There was almost complete unanimity on this question, whether on the Right or on the Left of Indian politics.

India United

At the invitation of Dr. Ansari, Chairman of the All-India Congress Committee, a conference of representatives of all political parties in India was held in Benares on January 15th, 1928. Amongst those present were Dr. Ansari, Pundit M. M. Malaviya, Sir Tej Bahadur Sapru, Moulana Abdul Kalam Azad, Mr. J. M. Sen Gupta, Mr. C. Y. Chintamini, Dr. Moonje, Mr. J. N. Basu, Shuaib Qureshi and Pundit Jawaharlal Nehru.

This meeting, representative of all from the extreme Left to the extreme Right in Indian politics, expressed itself unanimously of the opinion that the Statutory Commission must be left severely alone by the people. It recommended that a hartal should be observed all over India on the day the Commission landed at Bombay, to be followed later in the day by meetings at which a special resolution should be put condemning the appointment of the Commission and calling upon public bodies to boycott. It maintained that the constitution of India should be framed by Indians, and strongly supported a proposal for a special convention to frame such a constitution.

Hartal

A widely observed hartal, therefore, greeted Sir John Simon and his fellow-members of the Statutory Com-

mission on their arrival in Bombay on February 3rd. The flaunting of black flags and of banners inscribed with the words SIMON GO BACK symbolised the united determination of political India to boycott the Commission.

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Assembly Boycott Resolution

This was followed on February 16th by the passing of a resolution by the Indian Legislative Assembly, conveying to His Majesty's Government the Assembly's "entire lack of confidence in the parliamentary commission which had been appointed to review the constitution of India."

The resolution was passed by sixty-eight votes to sixty-two. If, however, the votes of the elected members only of the Legislative Assembly had been taken into account, the majority against the Commission would have appeared very much larger.

Subsequently the Upper House, the Council of State, passed a resolution in support of the Commission. But it was quite clear, as the months passed, that the expression of opinion by the Indian Legislative Assembly more accurately represented the Indian attitude towards the Commission.

Not only were the proceedings of the Commission boycotted, but owing to an equally effective social boycott its members were not able even informally to consult the most important Indian leaders.

Chapter XII

THE INDIAN ALL-PARTIES' CONFERENCE

The boycott of the Statutory Commission continued, but at the same time Indians pressed forward with the work of framing their own constitution.

Indians Frame a Constitution

At an All-Parties' Conference held at Delhi in February 1928, matters connected with the principles of a future constitution were discussed, and it was agreed that the object governing the working out of the constitution must be the establishment of "full responsible government."

In Bombay, on May 19th, 1928, a Committee was appointed "to consider and determine the principles of the constitution for India."

Personnel of Committee

It was not possible to represent all interests on this Committee. But an endeavour was made to have spokesmen of some important view-points. Sir Ali Imam and Mr. Shuaib Qureshi were to express the Muslim point of view; Mr. M. S. Aney and Mr. M. R. Jayakar the Hindu Maha Sabha's attitude; Mr. G. R. Pradhan the non-Brahmin view; Sardar Mangal Singh the Sikh League; Sir Tej Bahadur Sapru the Liberal view-point, and Mr. N. M. Joshi the interests of Labour.

Of the ten members of the Committee elected by the Conference, Mr. M. R. Jayakar and Mr. N. M. Joshi were unable to serve.

This small but influential Committee was instructed to give the fullest consideration to the resolutions which had been passed from time to time by the various important communal, political, and other organisations in India. It was to report to an All-Parties' Conference to be held at Lucknow in August. This Report was of the greatest importance.

In introducing their recommendations the Committee dealt with the speech made in the Legislative Assembly in 1924 by Sir Malcolm Hailey, to which I have already referred.[1]

The Committee contended that this distinction between "Dominion Status" and "Responsible Government" was a false one, neither intended by the authors of the 1917 Declaration nor properly to be drawn in shaping India's constitutional future. They recognised no such distinction and their recommendations were made on "the basis that we are agreed that nothing short of Dominion Status will satisfy India, and that the form of government established in India will be the same and not lower than that of other self-governing Dominions."

They made no attempt to draft a constitution with the precision necessary in the case of a Bill intended to be introduced in Parliament. Although many points were gone into in considerable detail, their recommendations were not intended to be treated as more than an outline of the essential principles of a future constitution for India.

Proposed Indian Parliament

The Indian commonwealth was to possess powers similar to those enjoyed by such Dominions as Canada, South Africa, and Australia.

The King would be represented by a Governor-

[1] See p. 57.

General. The Governor-General would appoint the Prime Minister and six other Ministers, the latter being chosen on the advice of the Prime Minister.

The Parliament would consist of a Lower and an Upper House. The Lower House would be composed of five hundred members, directly elected. For this House the system of election would be by adult franchise, without any sex discrimination.

Franchise Proposals

The Committee considered many other proposals with regard to the franchise. Adult suffrage, it was estimated, would produce about a hundred and twenty million voters in British India.

In view of the vastness of this electorate it was proposed that the franchise should first be extended from the present six millions to about sixty millions. But the Committee came to the conclusion that there were difficulties in the way of such a proposal.

At present, they noted, the voting ratio between different communities was not the same as the population ratio. Thus in the Punjab, although the Muslims outnumbered Hindus and Sikhs combined, the number of their votes was far less than the Hindu and Sikh votes. This was due to the superior economic position of the latter. "We are strongly of the opinion," stated the Committee, "that this anomaly should be ended, and the voting ratio should be made to correspond with the population ratio. With adult suffrage this happens automatically. But with any other restricted franchise the only possible way to do it is to have different electoral qualifications for different groups and communities," which might be considered a grievance by some groups. The Committee continued, "We were thus driven to the conclusion that the only solution is adult suffrage, and we have recommended accordingly."

They were of opinion that the great increase in the electoral machinery which adult suffrage would mean, and the trouble and expense it would involve, should not be considered unreasonable, since it was necessary for the purpose of laying the foundation of responsible government.

They attached no weight to the objections to adult suffrage based on the prevailing illiteracy of the masses and their lack of political experience. As they pointed out, the proportion of literacy being very small, the same objections would apply to the great majority of voters, even if the franchise were restricted. And there was no reason or justice in undertaking the political education of a person earning a certain income, and refusing the same education to another person earning a little less. Political experience could only be acquired by the active participation in political institutions, and did not entirely depend upon literacy. India's future constitution should provide equal opportunities to all to acquire this experience.

On the other hand, while the Committee proposed that the members of the Lower House should be directly elected on a basis of adult suffrage, they recommended that members of the Upper House should be elected by a form of indirect election. They argued that if members of this Upper Chamber were directly elected on the same basis as the Lower Chamber, it would merely become a duplicate of the latter. If directly elected on a restricted franchise, it would represent only a small section of the community, and there would always be a tendency to create deadlocks and friction.

"There is no justification whatever," they said, "for a Second Chamber consisting of obscurantists and people belonging to special classes whose chief aim is to protect their own interests and obstruct all liberal measures. The only justification for it is that it ensures the recon-

sideration of all measures emanating from the Lower House in a somewhat calmer atmosphere and more dispassionately than is likely to be the case in the Lower House when controversial matters are discussed."

The Committee therefore recommended the adoption of a method of indirect election. The two hundred members of the Upper House were to be elected by the Provincial Councils, a specific number of seats being allotted to each Province on the basis of population, subject to a minimum. The elections were to be by method of proportional representation, with the single transferable vote.

Life and Powers of Two Houses

The normal life of the Lower House was to be five years, and of the Upper House seven years. The relationship between the two Houses was to be similar to that prevailing in the chief British Dominions. Bills affecting the public debt, or for the appropriation of revenue, or for imposing taxation, could only originate in the Lower House, and such money Bills, passed by the Lower House, could not be thrown out by the Upper House.

Provincial Governments

In the Provinces there would be complete autonomy in all subjects of government scheduled as "provincial." Subject to a subsequent redistribution of the provincial boundaries, the Provinces would remain as at present, except that Sind would be separated from Bombay and given a similar constitution to the other Provinces, as also would Baluchistan and the North-West Frontier Province.

The executive power in the Provinces would be vested in a Governor, but the Governor would appoint a Chief Minister, who would select four other Ministers. This Provincial Executive would be entirely responsible to

the Legislature for all subjects scheduled specifically as " provincial."

Law Courts

The Report provided for a Supreme Court for all India, in addition to the present provincial High Courts, and suggested that ordinarily no appeals should go to the Privy Council except under certain specified conditions.

In addition to being the Court of Appeal from the High Courts, the Supreme Court would have powers of original jurisdiction. The most important of these included matters arising out of treaties, engagements and sanads, and similar other engagements between the Commonwealth and the Indian States. Such matters would be referred by the Governor-General in Council, with the consent of the State concerned, to the Supreme Court for its decision.

Referring to this latter function of the Supreme Court, the Committee thought it would be a far better method of settling such matters than the present arrangement, in which the Government of India is both a party and a judge in a controversy between itself and the Indian States.

Indian States

It must be remembered of course that the Committee were framing a constitution which, like the 1919 Reforms, should embrace British India alone. The Indian territory outside British India is ruled by Indian Rulers. The Rulers of the larger of these Indian States have full sovereign rights in all internal matters, being subject only to the paramountcy of the Crown, working through the Viceroy and his agents, the political department of the Government of India. The relationship between the individual Indian States and the paramount power, as

I show elsewhere (chapter xxix), is based on the treaties, engagements, or sanads between these individual States and the paramount power.

In their Report the Committee dealt at some length with the future relationship between these Indian States and the future Indian Commonwealth. They observed that "While the fact that there is an 'Indian India' consisting of these States—some almost as big as, if not bigger than, some of the countries of Europe, enjoying, in a way, 'internal sovereignty,' 'autonomy' and 'independence,' dignities and status—may be and has to be freely admitted, we think it would be very poor statesmanship and short-sighted policy to ignore those obvious historical, religious, sociological, and economic affinities, which exist between the people of British India and the people of these States. Nor do we think that it is possible to erect artificial geographical barriers between the two Indias.

"Ideas and opinions travel from one part of India to another much more rapidly than was the case sixty or seventy years ago, and it would be absurd to deal with the problem of the Indian States on the assumption that the dynamic forces now in operation in British India can for a very long period of time be expected to spend themselves on the borders of British India. It is inconceivable that the people of the States, who are fired by the same ambitions and aspirations as the people of British India, will quietly submit to existing conditions for ever or that the people of British India, bound by the closest ties of family, race, and religion, to their brethren on the other side of an imaginary line, will never make common cause with them. In dealing with the problem, therefore, we would much rather base our conclusions on the community of interests than on the differences of form. This community of interests would clearly point to joint action by the parties concerned as the most natural course to

adopt with a view to mutual protection and advancement. Indeed, if ever there was a case for a Round Table Conference at which a perfect understanding could easily be reached, it was this."

After dealing with the claims put forward on behalf of the Indian Princes, that their relationship was directly with the Crown, the Committee maintained that as a matter of fact and actual practice it is with the Government of India that the Indian Princes come into direct contact with regard to everything that concerns them or their States. "It is well known," said the Committee, "that the Political Secretary of the Government of India exercises vast powers over the Indian States. . . . The present position is that if the political department gives any decision against an Indian State or Indian Ruler, the only remedy available against it is 'an appeal under certain conditions and subject to certain limitations, to the Secretary of State.' . . . It is obvious that the right of appeal in a case which is not fairly tried is of little value, and we think that it is possible to replace it by adequate constitutional provisions for the future."

Indian Federation

The Committee noted that the creation of an Indian federation had been suggested in some quarters as a solution of the problem of the future relationship between British India and the Indian States. "If the Indian States," they said, "would be willing to join such a Federation, after realising the full implications of the federal idea, we shall heartily welcome their decision and do all that lies in our power to secure to them the full enjoyment of their rights and privileges. But it must be clearly borne in mind that it would necessitate, perhaps in varying degrees, a modification [illegible] system of government and administration pre[illegible] the tories. We hope and trust tha[illegible] of

Committees Recommended

Further, it was proposed that the Commission should set up two committees. One was to examine the question of the training of officers for the defence forces, and the establishment of colleges for such training. The other would investigate and report on the introduction of general primary education, and the grant of special educational facilities to backward classes.

The Services

With regard to the Services, "One of the first duties of the Commonwealth," said the Committee, "on its establishment, will be the reorganisation and re-adjustment of the departments of public services. It is notorious that the Indian administration to-day is top-heavy, and that the services are paid at a higher rate than anywhere else in the world, in spite of the grinding poverty of the country.

"The first problem before the Dominion of India will be how to find money for defence, education, industry, sanitation and a host of other purposes. We cannot possibly afford to keep extravagantly paid civil or military services, and we must try to reduce the overhead charges of administration to find money for developing the country. The people, or rather the articulate section of them, have all along protested against the heavy salaries of our officials. But the only answer to these protests came in the shape of the Lee Commission. This Commission, as is well known, was appointed in the teeth of unanimous Indian opinion, and its recommendations were adopted over the head of the Indian Legislature. We feel, therefore, that the entire question of the sources and methods of recruitment to the services, their salaries, emoluments, pensions, and allowances in the future will require re-examination in the light of the new

The Report noted that the Muslims, in a minority in India as a whole, feared that the majority might harass them. To meet this difficulty the Muslims had put forward the suggestion that they should at least dominate some parts of India. But in finding a solution of communal fears, as the Committee pointed out, the aim must be not to give dominion to one over another, but to prevent the harassment and exploitation of any individual or group by another. It was this principle that governed their recommendations.

The Report rejected the existing system of separate communal electorates as " bad for the growth of a national spirit . . . and still worse for a minority community." It stated that " they make the majority wholly independent of the minority and its votes, and usually hostile to it. Under separate electorates, therefore, the chances are that the minority will always have to face a hostile majority, which can always, by sheer force of numbers, override the wishes of the minority."

Reservation of Seats

Election to the Central Legislature and to the Legislatures in the Provinces, according to the Nehru Report, should be by Joint Mixed Electorates. An effort was made, however, to meet the claims of the Muslim community. This they proposed might be done by means of the reservation of certain seats for Muslims in the Central Legislature and in certain of the Provincial Legislatures.

In the elections to the Central Legislature in the Punjab and Bengal, where the Muslims were in the majority, there was to be no reservation of seats for them. But in the other Provinces, where the Muslims were in a minority, they were to have seats reserved in the Central Legislature on the basis of their population ratio.

Similarly, non-Muslims in the North-West Frontier Province, where they were in a minority, were to have reservation of seats in the Central Legislature on a population ratio.

This would insure to Muslims in those Provinces where they were in a minority, and to non-Muslims in the North-West Frontier Province, representation in the Central Legislature at least in proportion to their population in those Provinces. Apart from this, they would have the right to contest additional seats.

The elections to the Provincial Legislative Councils would also be from Joint Mixed Electorates. But in the case of Muslims in the Provinces in which they were a minority, seats would be reserved in the Legislative Council proportionate to their population. In the North-West Frontier Province non-Muslims would have seats reserved to them in the Legislative Council on the basis of their population ratio. Again in each case they would have the right to contest additional seats.

It was recommended that this reservation of seats should be allowed for a period of ten years only. The Committee came to these conclusions after examining many different suggestions put forward to guarantee the position of the minorities in the future legislatures.

Muslim Claims

The Muslims had claimed reservations of seats on a population basis even in those Provinces, like the Punjab and Bengal, where they were in a majority. But the Committee contended that it was absurd to insist on reservation of seats for the majority, and to claim full responsible government at the same time.

"Responsible government is understood to mean," they said, "a government in which the executive is responsible to the legislature and the legislature to the electorate. If the members of the executive, with the

majority behind them, have all got in by reservation and not by the free choice of the electorate, there is neither representation of the electorate, nor any foundation for responsible government. Reservation of seats for a majority community gives to that community a statutory right to govern the country independently of the wishes of the electorate, and is foreign to all conceptions of popular government."

But the strongest argument, according to the Committee, against reservation of seats for majorities is not on the grounds of principle, but on the facts as they are in India. They quoted figures showing the distribution of the population of the Muslims and of other communities in the Punjab and Bengal, and argued that these figures showed that the respective communities were geographically so distributed as to make artificial reservation unnecessary.

In the Punjab, for example, there was a Muslim zone in the North and North-West of the Province, where the Muslims were overwhelmingly strong and where no other community encroached on their preserve. There was a smaller area in the South, the Hindu zone, where the Hindus and Sikhs were equally strong. Between the two there was a third area, where the Muslims were predominant but not overwhelmingly so.

This analysis led the Committee to the conclusion that the Muslims were bound to capture over 47 per cent. of the total seats in the Punjab from their special zone alone, whilst the Hindus and Sikhs would jointly capture only 30 per cent. The remaining 23 per cent. of the seats would lie in either a predominantly Muslim area or in districts where the Muslims were the strongest single community. Allowing for every contingency they could not conceive of the Muslims not capturing enough seats in this area to give them a clear majority of the seats in the Punjab Provincial Legislature.

Similarly, the geographical distribution of the Hindu and Muslim communities in Bengal, in their opinion, made any artificial means of ensuring adequate representation of either community unnecessary. There the overwhelmingly Muslim zone alone, not taking into consideration the predominantly Muslim zone, would ensure to Muslims over 60 per cent. of the seats in the Legislature.

In view of this, therefore, they thought that Muslim fears with regard to the Punjab and Bengal were largely imaginary. Such fears were based on the superior economic and educational standards of the Hindus and Sikhs in these Provinces.

The Committee observed in this connection that there was no doubt that the power of wealth was great in the modern State. It was so great indeed that it seldom troubled to contest seats in the legislatures, as it could pull strings from behind the scenes. The reservation of seats, or separate electorates, or any other device of this kind, could not materially reduce this power. So long as people thought and acted as Hindus, or Muslims, so long would they not face the real problem, and if they would not face it they would not solve it.

But the Committee said:

"We are not here called upon to advise on a new structure of society, where the economic power is not concentrated in the hands of a few. We take it that the communal organisations which aggressively demand special rights and privileges for their respective communities are not desirous of attacking the basis of the existing structure. If this is admitted, then all we can do is to provide safeguards and guarantees for educational and economic advancement, especially for all backward groups and communities.

"We are certain that as soon as India is free and can face her problems unhampered by alien authority and

intervention, the minds of her people will turn to the vital problems of the day. How many questions that are likely to be considered by our future legislatures can be of a communal nature? There may possibly be a few now and then, but there can be no doubt that the vast majority of the questions before us will not be communal in the narrow sense. The result will be that parties will be formed in the country and in the legislature on entirely other grounds, chiefly economic we presume. We shall then find Hindus and Muslims and Sikhs in one party acting together and opposing another party which also consists of Hindus and Muslims and Sikhs."

Chapter XIV

THE IRWIN DECLARATION

Beginnings of Independence Movement

Mr. Montagu, in his *Indian Diary*, notes with regard to the deputation of leaders of Indian political opinion which waited on him at Delhi, in November 1917, that "revolutionary or not, loathing or not as they may do the Indian Civil Service, none of these Indians show any sign of wanting to be removed from connection with the British Throne."[1]

In the main this was also the position in 1928. But the intervening years, with their failure to bring any response in Britain to the insistent demands for constitutional advance, had created a situation of despair in which a new movement was growing up, having for its goal complete independence for India outside the British Empire.

Madras Congress Resolution, 1927

The resentment caused by the appointment of the Simon Commission very considerably strengthened this movement. The Madras Session of the Indian National Congress, in Christmas week, 1927, as we have seen, carried a resolution declaring "the goal of the Indian people to be complete national independence." This resolution, if not to be taken too literally as expressing the predominant opinion either in or outside the Congress, was a very significant indication of the trend of

[1] *An Indian Diary*, by Edwin Montagu, p. 58.

public opinion. Many of those who voted for the Independence Resolution at Madras did so in the belief that in demanding independence they were demanding the same freedom to govern themselves without outside interference which was possessed by such Dominions in the British Commonwealth as Canada, Australia, etc.

Nevertheless, the movement for complete independence outside the British Empire continued to gather strength. The failure of the boycott of the Simon Commission to persuade the British Government to abandon what Indians considered the autocratic and patronising attitude which had inspired its action in the appointment of the Commission, gave it further strength. Many in India, who had no desire to see any break with the British Empire, in despair began to entertain the belief that India would never be able to achieve political freedom, or an equality with the other sovereign peoples in the world, so long as she remained within the British Empire.

They realised that all the existing Dominions in the British Commonwealth were racially of European stock. If, therefore, there were ever to be an Indian Dominion, on a basis of equality with the existing British Dominions, it would pre-suppose the existence of a sense of complete racial equality as between Indians and Europeans. But the Statutory Commission, to Indian eyes, was based upon the very absence of this sense of racial equality, and there was in consequence a growing feeling that unless Britain and the rest of the Empire showed an earnest desire to have a free and self-governing India as a willing partner amongst the British Commonwealth of Nations, India must seek to establish her freedom outside that Commonwealth.

Lucknow All-Parties' Conference

It was only possible to secure the adoption of the principle which underlay the constitutional recommendations

of the Nehru Report, when it was considered by a specially convened All-Parties' Conference at Lucknow in August 1928, by making it clear to the Conference that in adopting it they were not restricting the liberty of action of those political parties in India whose goal was complete independence. Subject to this qualification, the Conference adopted a resolution declaring that the form of government to be established in India should be responsible, that is to say a government in which the Executive should be responsible to a popularly elected Legislature possessing full and plenary powers; and that such form of government should be in no event lower than that of any self-governing Dominion. With certain amendments this Lucknow Conference adopted the Nehru Report, and reappointed the Committee to incorporate these amendments. The Report thus amended was presented to the All-Parties' Convention which met in Calcutta in December, 1928.

Communal Differences

In the meantime opposition had developed to the recommendations made in the Nehru Report with regard to the claims of the Muslim and Sikh communities. This opposition referred only to the recommendations of the Report which proposed to abolish separate communal electorates, and which failed to give reservation to Muslims in the Punjab and Bengal, where they were a majority of the population. The opposition to this part of the Report by an important section of the Muslim community and by a section of the Sikh community led to its repudiation by these groups. These groups, however, were no less insistent on the principle underlying the constitutional demand embodied in the Report. The only section from which opposition came to the demand for a Dominion status constitution was the small but growing body favouring complete independence.

Calcutta Congress Resolution, 1928

The increased strength which had come to those who supported the goal of independence was manifest at the Indian National Congress when it met in Calcutta for its Annual Session in December 1928. In point of fact it was only due to the efforts to find a formula, made by the older leaders of the Congress, that it was found possible to reconcile this section to the adoption of the Dominion constitution put forward in the Nehru Report. Even Mahatma Gandhi's compromise resolution met with opposition from those who believed in independence. But eventually, after heated and prolonged debate, the Calcutta Congress adopted a resolution in which it declared that:

"This Congress, having considered the constitution recommended by the All-Parties' Committee Report, welcomes it as a great contribution towards the solution of India's political and communal problems, and congratulates the Committee on the virtual unanimity of its recommendations and, whilst adhering to the resolution relating to complete independence passed at the Madras Congress, approves of the constitution drawn up by the Committee as a great step in political advance, especially as it represents the largest measure of agreement attained among the important parties in the country.

"Subject to the exigencies of the political situation, this Congress will adopt the constitution in its entirety if it is accepted by the British Parliament on or before December 31st, 1929, but in the event of its non-acceptance by that date or its earlier rejection, Congress will organise a non-violent non-co-operation by advising the country to refuse taxation or in such other manner as may be decided upon. Consistently with the above, nothing in this resolution shall interfere with the carrying

on, in the name of the Congress, of the propaganda for complete independence."

Things were moving towards a very serious situation.

Attitude to Simon Commission

Despite certain events which were cabled to and quoted in the British Press as proving the opposite, the passage of time had in fact brought little further support in India for the Simon Commission. With the help of the votes of the Government, Official and Nominated Members in those Councils, all the Provincial Legislative Councils, except that in the Central Provinces, had been prevailed upon to set up Provincial Committees to work with the Commission. But without Government votes this would have been impossible. In the country as a whole, outside the Legislatures, political opinion showed no tendency to weaken in its opposition, and placed no hope in the work of the Simon Commission.

Indian Members of Commission

The Council of State, as we have seen, decided to co-operate with the Commission, and to this end elected three Members, Sir Sankaran Nair, Sir Arthur Froom, and the Hon. Raja Nawab Ali Khan to sit on the Indian Central Committee. A fourth Member of the Council of State, Sardar Bahadur Singh Uberoi, was nominated by the Viceroy to act as a representative of the Sikhs.

It is worth noting, however, that but for the assurance that the Report of the Indian Central Committee would be made available to the British Parliament, independently of the Report of the Statutory Commission, even the Council of State would not have decided to co-operate and the boycott by the Indian Central Legislature would have been complete.

Meanwhile the Indian Legislative Assembly (which during the debates in Parliament on the constitution of

politically-minded India had organised and marshalled an effective boycott both of the Statutory Commission and its Indian wing."

The evidence which was collected on the extensive tour of India made by the Commission in this visit was not such as to enable them to gain a very much better picture of the Indian situation than could have been gained had they remained in London. The Commission completed its grand tour in April 1929, when they left Bombay for England to continue in London the work of taking evidence during the summer of 1929 with the Indian Central Committee.

It is perhaps worth noting, however, that in spite of the fact that in his letter to the Viceroy of February 6th, 1928, Sir John Simon stated that normally all evidence from public and representative bodies and from individuals should be given to the Conference as a whole, including the Indian Committee, the consultations they had in going through India on their first visit could not be so given, as the Indian Committees had not then been appointed. And before the issue of the Commission's Report further consultations took place in London, with retired Governors and others, at which only members of the British Parliamentary Committee were present.

Indian Confidence Lost

To return now to the serious situation which was developing in India. It was increasingly obvious that if all

the Commission was described as the body pre-eminently representative of all India) had rejected the proposal to elect members to the Indian Central Committee to co-operate with the Simon Commission. In consequence of this refusal, the Viceroy was compelled to fill by his own nomination the five seats on the Indian Central Committee intended for the representatives of that body.

The members so nominated by the Viceroy were: Sir Ali Khan, Sir Hari Singh Gour, Dr. Abdullah Suhrawardy, Mr. K. Premchand and Rao Bahadur M. C. Rajah.

The Indian Central Committee, so constituted, accompanied the Simon Commission throughout its tour on its second visit to India, which began in October 1928.

Second Visit of Simon Commission

This second visit took the Simon Commission to all the Provinces. The main value of such a visit to Members representing the British Parliament was that it might enable them to come into touch with Indian political opinion. This object, however, was not achieved. As one of the members of the Indian Central Committee, Sir Hari Singh Gour, was later to point out in the Memorandum he appended to the Committee's Report, the memoranda, documents, and witnesses examined by the Statutory Commission and the Indian Central Committee, though numerous, were as nothing compared to what would have been available to these bodies if they " had not been confronted with the strenuous boycott maintained throughout (their) tour."

" Whatever Province the Committee visited (with the Statutory Commission), there were unmistakable signs of organised boycott, and even in the out-of-the-way places and far-off countryside, through which the train of the Committee passed, signs of the presence of the boycotters were not wanting. It cannot be denied that

politically-minded India had organised and marshalled an effective boycott both of the Statutory Commission and its Indian wing."

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Indian Confidence Lost

To return now to the serious situation which was developing in India. It was increasingly obvious that if all hope of a peaceful and permanent solution of the Indian question was not to slip from our grasp, some conscientious effort would have to be made to regain the confidence of political India. So far from the existence of the Statutory Commission helping towards creating a better atmosphere, and reassuring Indians as to our adherence to the 1917 Declaration in spirit and in letter, it had spread further the poison of mistrust.

imperative was the need for some bold act on the part of the Government to re-establish the *bona fides* of its intentions in the eyes of political India. "It is to me wonderful," he said, "how the Government of India and the British Cabinet do not yet realise the futility and tragedy of attempting to evolve and inaugurate a big and important step in the political advance of India in an atmosphere of such dissatisfaction and strife. They are repeating in a very intensified degree the tragedy that surrounded the inauguration of the Montagu-Chelmsford Reforms. It should not be beyond their genius boldly to take hold of opportunities even now to restore harmony and solve the constitutional problem of India in close co-operation with all sections of public opinion and with general goodwill which alone can secure the successful workings of any that may be devised."

1917 Declaration Re-Affirmed by Viceroy

There was evidence in the speech made by the Viceroy, Lord Irwin, in opening the Indian Legislative Assembly on January 28th, 1929, that the Government was not unaware of the necessity of doing something to dispel the atmosphere of suspicion which had clouded the whole political situation. In the course of this speech he made an appeal to the Assembly. "I tell this Assembly again," he said, "and through them India, that the Declaration of 1917 stands and will stand for all time as the solemn pledge of the British people to do all that can be done by one people to assist another to attain full, national, political stature, and that the pledge so given will never be dishonoured. And, as actions are commonly held more powerful than words, I will add that I should not be standing before you here to-day as Governor-General if I believed that the British people had withdrawn their hand from that solemn covenant. Those, therefore, who preach that a new generation has arisen

" Paradoxical as it may seem," remarked Sir Chimanlal Setalvad in his presidential address to the Annual Session of the National Liberal Federation, which met in December 1928 at Allahabad, at the same time as the Congress was meeting at Calcutta, " it is the Government who have by their blundering and hesitating policy at every step created extremism and helped it at every stage to gather strength just when it was about to lose ground. Their unwise action in putting the Rowlatt Acts on the Statute Book, in defiance of united Indian opinion throughout the country, gave birth to Civil Disobedience. The Punjab Martial Law administration, and the horrors for which it was responsible, created the cult of ' non-violent non-co-operation ' and non-payment of taxes, and the obstructive, hostile attitude of the Swarajists in the Legislatures. The Simon Commission muddle of last year brought into existence the Party advocating complete independence.

" The Government have always failed to respond adequately and timely to legitimate Indian aspirations as voiced by sane and responsible political sections, and by their hesitation and delay have lost opportunity after opportunity of catching the imagination of the people and securing their contentment. They are so much lost in the admiration of what they have done for India, and of the efficacy of their administration, that they wonder and resent that Indians should be dissatisfied with the present order of things and should demand full self-government."

Indian Liberal Views

Sir Chimanlal Setalvad is one of the most level-headed and responsible of Indian leaders, and the Indian National Liberal Federation, over whose Annual Session he was presiding, is a body essentially moderate and conciliatory in its outlook. In this address he showed how

imperative was the need for some bold act on the part of the Government to re-establish the *bona fides* of its intentions in the eyes of political India. "It is to me wonderful," he said, "how the Government of India and the British Cabinet do not yet realise the futility and tragedy of attempting to evolve and inaugurate a big and important step in the political advance of India in an atmosphere of such dissatisfaction and strife. They are repeating in a very intensified degree the tragedy that surrounded the inauguration of the Montagu-Chelmsford Reforms. It should not be beyond their genius boldly to take hold of opportunities even now to restore harmony and solve the constitutional problem of India in close co-operation with all sections of public opinion and with general goodwill which alone can secure the successful workings of any that may be devised."

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in England which seeks to explain away the significance of the 1917 Declaration, are, consciously or unconsciously but none the less really, misrepresenting the purpose of Great Britain, and poisoning the wells by which the common life of India and Great Britain is supported and sustained. If there are Indians who are thus tempted to mistrust Great Britain, there are, no doubt, many in Great Britain, resentful of what they well know to be an unfounded and ungenerous accusation, who may mistrust some of those who speak for India."

Reasons for Indian Mistrust

But India knew that, notwithstanding the Viceroy's observations, there were also those in Great Britain who did not regard the obligations imposed on Great Britain by the 1917 Declaration with the same solemnity and earnestness as those obligations were regarded by the Viceroy and had been regarded by Indians. The years which had elapsed since 1917 had provided far too much evidence of this.

Had not even the spokesman of the Government of India, Sir Malcolm Hailey, in the Indian Legislative Assembly in 1924, tried to whittle down the promises implicit in the 1917 Declaration by seeking to draw a distinction between "responsible government"—the words used in the Declaration—and Dominion Status? It was he and the previous Viceroy, Lord Reading, who were responsible for "misrepresenting the purpose of Great Britain, and poisoning the wells by which the common life of India and Great Britain is supported and sustained." If Indian confidence was to be regained, something more was required than a restatement of promises which had already been made; something that would convince Indians that the British Government really intended to interpret the 1917 Declaration as a "solemn pledge of the British people to do all that can

be done by one people to assist another to attain full, national, political stature."

In May 1929 a General Election took place in Britain which resulted in the fall of the Conservative Government which had been in power since the end of 1924. Its place was taken by a Labour Government, and Lord Peel, who had succeeded the late Lord Birkenhead as the Secretary of State for India, was replaced by Mr. Wedgwood Benn. This change of government was looked on in India as bringing perhaps some hope of averting the disaster towards which Britain's Indian policy was drifting.

Viceroy's Visit to England

Further hope was engendered by the announcement in June 1929 that the Viceroy, Lord Irwin, intended to visit London to consult with the British Government. Lord Irwin left India on June 29th. Nine days before he left he made a significant speech when addressing the Chelmsford Club at Simla.

"The British elections have just been held, and His Majesty's Government has now been entrusted to other hands. But whatever the differences between British parties, I know that all desire to find a path wide enough for Great Britain and India to walk along together. I know, too, that behind the noise and din of much political controversy in India there is, even among many whose position compels them to be protagonists in political battles, a great volume of strong and sane opinion that desires nothing so much as to reach in partnership with Great Britain an honourable settlement of India's constitution.

"When I go to England I shall seek opportunity of discussion with His Majesty's Government on these grave matters. It will be my duty, as I have said elsewhere, to represent to His Majesty's Government the

different standpoints of those who can speak for Indian political opinion. This I shall strive to do as faithfully as I may, in the spirit and to the end outlined in what are for me the two governing pronouncements of British hope and purpose: the familiar Declaration of 1917 and the Instrument of Instructions which every Governor-General receives from the King-Emperor when he assumes office, wherein His Majesty affirms that 'above all things it is Our will and pleasure that the plans laid before Our Parliament for the progressive realisation of responsible government in British India as an integral part of Our Empire may come to fruition, to the end that British India may attain its due place among Our Dominions.'

"I earnestly pray that, as the future unfolds itself, we may see the sure realisation of this hope."

Chapter XV

DOMINION STATUS ASSURED

The Viceroy, Lord Irwin, fully realised the serious position in India and the necessity of restoring faith in the promises and intentions of the British people—just as much as some in Britain did not. Before his viceroyalty Lord Irwin had been a member of the Conservative Cabinet, and this fact gave his advice, coinciding as it did with the views of the Labour Cabinet, all the more weight. He was " the man on the spot " who, according to the accepted doctrine, ought to be trusted and upheld.

Results of Viceroy's London Visit

The results of Lord Irwin's consultations in London with the Secretary of State and the Labour Cabinet were twofold. First of all there was the now famous Viceregal Declaration of October 31st, 1929, made six days after the Viceroy's return to India. This Declaration, made on the authority of the British Cabinet, explicitly reaffirmed that it was " implicit in the Declaration of 1917 that the natural issue of India's constitutional progress, as there contemplated, is the attainment of Dominion Status."

The second result was the proposal for a Round Table Conference. This was put forward in correspondence which had passed between Sir John Simon and the Prime Minister and was now published.

It was proposed that after the Simon Commission had reported, and before the Government framed their

considered at two important meetings of leading Indian politicians. In Delhi and in Bombay the change of attitude was unreservedly welcomed.

Leaders of Congress met at Delhi, including Pundit Motilal Nehru, Mr. Gandhi, Pundit Jawaharlal Nehru, and Pundit Madan Mohan Malaviya, as well as Dr. Annie Besant and moderate leaders like Sir Tej Bahadur Sapru, the Rt. Hon. Srinivasa Sastri, the leaders of Muslim opinion like Mr. Mohammad Ali and Dr. Ansari. In a statement issued over the signature of the leaders, appreciation was expressed of the sincerity underlying the Declaration, as also of the desire of the British Government to placate Indian opinion. They expressed the hope that they would be able to tender their co-operation with His Majesty's Government in their effort to evolve a scheme for a Dominion constitution suitable to India's needs.

They considered it vital for the success of the proposed Round Table Conference that first a policy of general conciliation should be adopted to induce a calmer atmosphere; secondly, that political prisoners should be granted a general amnesty; and thirdly, that the representation of the progressive political organisations should be effectively secured. They agreed that the National Congress, as largest amongst these, should have predominant representation.

Some doubts, they said, had been expressed about the interpretation of the paragraph in the statement made by the Viceroy on behalf of His Majesty's Government regarding Dominion Status. They understood that the Conference was to meet not to discuss when Dominion Status should be established, but to frame a scheme of Dominion constitution for India. They hoped that they were not mistaken in thus interpreting the import and implications of this weighty pronouncement of the Viceroy. " We hold it to be absolutely essential that the

public should be made to feel that a new era has come, even from to-day, and that the new constitution is to be but the register of that fact."

The significance of the statement issued by Indian leaders at Delhi was that it held out the possibility of the co-operation not only of the more moderate elements in India, but even of those, like Pundit Jawaharlal Nehru, who had been foremost in advocating independence. To realise fully what this meant it must be borne in mind that suspicion and mistrust were more widespread and more firmly implanted in India at the time of the Viceroy's announcement than at any previous time during the British connection with India.

The effect of the Viceroy's Declaration, and of the change of policy with regard to the framing of India's future constitution, was instantaneous and remarkable. In fact a change had been accomplished which even the more hopeful amongst us had despaired of in the preceding months.

British Press Campaign

In Great Britain, on the other hand, the Viceroy's Declaration met with a very mixed reception. A considerable section of the Press and a number of prominent politicians launched a mischievous campaign. An onslaught was made on the Government, one inevitable result of which was to undermine the good effect created in India. The target of this attack was that part of the Viceroy's statement in which he declared that the goal of British policy announced in the Declaration of 1917 was Dominion Status. In point of fact, in making this announcement, the Viceroy and the British Government were merely reaffirming what, as the Viceroy himself had said, previous Ministers of the Crown had more than once publicly declared. But the mischievous campaign, however ill-conceived and however little it may have

represented the true mind of Britain, revived doubts in India as to the sincere intention of Britain to fulfil her oft-repeated pledges.

As a result of this irresponsible campaign the splendid effect which the Viceroy's statement had had at first gave way, especially in more advanced circles in India, to a growing scepticism.

Chapter XVI

A DISASTROUS BRITISH CAMPAIGN

No Change of Policy

In the light of later events the panic which was worked up over Lord Irwin's Declaration, which affected even responsible Liberal and Conservative leaders, seems foolish in the extreme. It was based on the assumption that the Viceroy's announcement marked a change of policy. This as we have seen was a complete misunderstanding of that announcement.

It was argued that the Declaration undermined the prestige by "queering the pitch" of the Indian Statutory Commission. But although Sir John Simon refused his approval to the making of the Declaration, the Declaration itself announced no change of policy, and therefore in no way pre-judged the issues before the Commission.

Sir John Simon's refusal showed a strange lack of understanding of the Indian situation, but it was perhaps an inevitable result of the failure of the Statutory Commission to secure the co-operation and confidence of Indian leaders. Lord Irwin was in a far better position to understand what was demanded by the grave situation existing in India.

A Change of Spirit

As Mr. Wedgwood Benn pointed out in the debate on the Declaration which took place in the House of Com-

mons on November 7th, 1929,[1] there was no change of policy in the strict sense, but in the wider sense of the term it was true that there had been a change. It had been a change of spirit: "I should say there has been a change. There has been a new spirit. . . . We have got rid of the Birkenhead tone."

Removing Indian Doubts

Earlier in the same speech Mr. Benn had explained the origin and necessity of Lord Irwin's announcement. He showed that the action of the Government in authorising this announcement was taken on the advice of the man on the spot. Lord Irwin, he said, "came to England as an ambassador of peace, and he has gone back to India as a messenger of appeasement. . . . Why did he offer this advice and suggest that this Declaration should be made? He said in the first place that doubts had arisen in India as to the sincerity of British parties in the matter of the Montagu policy. Does anybody doubt that of recent years there has grown up a feeling, and that it has frequently been said, that British policy was altering, that the tone was altering, that sympathy was gone, that the days of Mr. Montagu were passed? The Viceroy said that these doubts existed, and that for the removal of these doubts it was necessary to issue a clear declaration of existing policy. . . . The second reason he gave was this. He said that the Statutory Commission is going to report, and we want if we can to make a good atmosphere for that Report. We want to have an atmosphere of good-will, and that will be better secured if we can clear up doubts which exist in the minds of Indians who have been assisting the British Government and co-operating with us and helping the work of the Montagu schemes and remove the webs of mistrust which it is necessary to clear away."

[1] *Hansard*, Vol. 231, Cols. 1328-9.

Approved by Europeans in India

No one who has followed the sequence of events outlined in the preceding chapters can have any doubt as to the desirability of Lord Irwin's decision. Nobody in India had any doubt about it. Indeed, it was inconceivable not merely to Indians, but also to the European community in India, that there should be any objection to such a clearing up of doubts with regard to the goal of British policy.

"Lord Irwin's pronouncement," wired the Delhi correspondent of the London *Observer*, "has transformed the Indian political scene. The reported indignation of the British Liberals at this announcement is simply not understood by Europeans and Indians alike." And the Vice-President of the European Association of Calcutta had sent to the Secretary of State for India a telegram in the following terms: "We, the Council of the European Association, desire you to convey to His Majesty's Government our firm support of the Viceroy's recent declaration. We consider that such a declaration is not ill-timed and that it clarifies an issue already clear to all competent observers. We consider that the Indian Statutory Commission has not suffered in prestige, but by its work has alone made possible the contemplated conference."

Parliament again Causes Doubt

Nevertheless, the debates in the House of Lords and House of Commons, on November 5th and November 7th, 1929, undid a large part of the good work done by the Declaration. Speeches were made by important members of the Conservative and Liberal Parties criticising Lord Irwin's action. What were Indians to think? Here was a solemn promise made by His Majesty's Government in 1917, and now when that

solemn promise was merely restated in explicit terms in a Viceregal Declaration, the Government responsible for that restatement was violently attacked. It seemed that so long as the policy announced in 1917 laid itself open to different interpretations, it called forth no opposition from British political leaders. But Indians noted that immediately it was proposed that the meaning implicit in the Declaration should be stated in so many words, there was an outcry in Britain. What could this mean but that leaders of British opinion were not really sincere in their adherence to the 1917 Declaration? Again, Indians realised that we were open to the charge laid against us by the late Lord Lytton, when Viceroy, of having taken every means in our power of breaking to the heart the words of promise we had uttered to the ear.[1]

Prime Minister's Clear Statement

It was said that Lord Irwin's Declaration with regard to Dominion Status would be interpreted in India as meaning that India would shortly have conferred on her the status of a Dominion. Many speeches made by responsible people in this country suggested that to give Indians grounds for thinking that this was likely was to mislead them. But if they had been misled in this way it was not as the result of anything done by the British Labour Government in 1929, but by the Coalition Government in which all parties were represented in 1917. From the beginning the words "responsible government" in that Declaration had been taken as meaning "Dominion Status." It is true that in the 1917 Declaration the term "responsible government" was given only as "the goal of British policy." But the virtue of such an announcement, indeed the only justification for making such an announcement, was that the promise

[1] Quoted on p. 13 *supra*.

made therein would be redeemed within some reasonable and foreseeable period of years. And were not Indians entitled to rely on the words of the Prime Minister himself, spoken in 1928, " I hope that within a period of months rather than years there will be a new Dominion added to the Commonwealth of our nations, a Dominion of another race, a Dominion that will find self-respect as an equal within this Commonwealth. I refer to India."[1]

After their experience of the working of the 1919 Reforms, every political group in India was united in the demand that the constitution must be placed on a permanent basis—even if full working of that constitution in some respects was not practicable until after a transitional period. If such a permanent constitution was to be in accordance with the solemn promise made to India in 1917, it would have to be a constitution having the status and powers characteristic of the existing Dominions in the British Commonwealth. How then could it be said that the Indians had been " misled " by Lord Irwin's Declaration if they greeted it as grounds for hope that the proposed Round Table Conference would frame proposals for a Dominion constitution ? If British statesmen were really sincere in their adherence to the promise made to India in 1917, then why, Indians wondered, should people in Britain object so strenuously to the action of the Government in putting the promise into plain terms not capable of misconstruction. The fierce onslaught on the Labour Government for sanctioning the Declaration made by Lord Irwin had disastrous reactions in India. It inevitably undermined the renewed trust and confidence in the sincerity of our intentions which Lord Irwin had been so successful in re-establishing.

[1] The Rt. Hon. J. Ramsay MacDonald, presiding at the British Commonwealth Labour Conference at London, July 2, 1928.

Effect on India

A resumed conference of the political leaders who signed the Delhi Manifesto with regard to the Declaration met at Allahabad on November 18th, to consider the situation in the light of what had happened in Britain since the Declaration was made. This Conference finally passed a resolution " viewing with misgiving and dissatisfaction the debates in Parliament, but deciding to stand by the previous manifesto, hoping for a full and early response to it."

The Working Committee of the Indian National Congress, which included Independence advocates such as Pundit Jawaharlal Nehru and Mr. Subhas Bose, met at Allahabad at the same time. They also agreed not to give up hope that Lord Irwin's Declaration really did mean a change of heart, despite the reaction in Indian feeling which had occurred as a result of the mischievous campaign in Britain.

The campaign in Britain against the Declaration and against the use of the term " Dominion Status " continued however. In consequence, as the time of the Annual Christmas Session of the Indian National Congress drew near, it seemed certain that nothing short of a specific assurance that the Round Table Conference was to be called to frame a Dominion constitution would prevent the Congress from rejecting the path of co-operation.

Viceroy's Meeting with Indian Leaders

Shortly before the assembly of the Congress at Lahore at Christmas a meeting took place at Delhi between the Viceroy and the Indian leaders. Mr. Gandhi and Pundit Motilal Nehru represented the Congress, Sir Tej Bahadur Sapru the Liberals and Mr. M. A. Jinnah the Muslims. Mr. Vithalbhai Patel, the President of the Indian Legislative Assembly, was also present.

Mr. Gandhi and Pundit Motilal Nehru urged on Lord

Irwin the necessity of his making a statement showing clearly that the proposed Round Table Conference was not being called to discuss whether India was fit for self-government, but to work out the details of a Dominion constitution. Failing such a statement they feared they would be unable to persuade the Congress at Lahore to support them in a policy of co-operation with the Government. The two Congress leaders were insistent on the necessity for this. They pleaded also for an amnesty to political prisoners, as an earnest of the change of heart which it was said had taken place in the Government.

Lord Irwin found it impossible to agree to defining the scope of the Round Table Conference in the manner proposed, and in consequence this last attempt to save the situation failed.

It has to be remembered that the Simon Commission had not yet reported, and in consequence to define the terms of reference of the proposed Round Table Conference as specifically to draw up a Dominion constitution would be, in the Government's view, to prejudge the subject of the Statutory Commission's inquiry. Indian Liberals, moreover, and the political groups not belonging to the Indian National Congress, along with the chief organisations voicing the views of the different minority communities, while they hoped that before the Round Table Conference was called it would be made clear that the work of the Conference was to be the framing of a Dominion constitution, were not prepared to make that a condition of their co-operation. With the Congress, however, it was different. The Calcutta Session in December 1928 had set itself a twelve months' limit. At the end of that period, unless there was definite evidence of the British Government's intention to agree to the establishment of *Swaraj* within the British Empire, the programme of the Congress had been declared to be complete independence.

In the opinion of the Congress leaders, unless they were assured that Lord Irwin's Declaration of October 31st, 1929, could be interpreted as meaning that the proposed Conference in London was to discuss problems involved in framing a *Swaraj* constitution, and not the status of India's future constitution, they would be unable to recommend the Lahore Congress to refrain from launching out on the programme outlined twelve months previously.

The breakdown of the Delhi conversations, therefore, left no doubt of the decision that would inevitably be made by the Congresss at Lahore. It practically made certain that the large section of Indian political opinion represented by the Indian National Congress would have no part in the Round Table Conference.

Chapter XVII

THE LAHORE CONGRESS AND AFTER

Lahore Congress, 1929

It may have been inevitable that the Lahore Session of the Indian National Congress should decide in favour of refusing co-operation with the Round Table Conference, and of launching a programme of Independence.

This, however, rendered the decision to be taken by them none the less grave. There were some amongst the Congress leaders of the Right Wing, like Mr. N. C. Kelkar, a prominent Congressman of Maharastra, Pundit M. M. Malaviya, the respected Hindu leader, and Mrs. Naidu, who were against the Congress deciding on a complete refusal to take part in the Round Table Conference. But from the outset it was clear that the vast majority of the Congress would support the policy of non-co-operation advocated by Pundit Jawaharlal Nehru, the President of the Congress.

It seemed at first that the section of the Congress favouring an even more militant policy would be able to carry the day against the elder Congress leaders like Mr. Gandhi and Pundit Motilal Nehru (Jawaharlal's father). Already Congress leaders from Bengal and the Andhra district in Madras were eager to lead an All-India movement for civil disobedience and non-payment of taxes.

The New Spirit in Congress

An indication of the temper of the Lahore Session of the Congress can be gained from the fact that it was only

by a narrow majority that Mr. Gandhi was able to carry a resolution condemning an attempt which had been made on the life of the Viceroy on December 23rd, 1929 The militant section amongst the Congressmen, who did not hide their belief in the inevitability of violence, had grown in influence during recent years. Even many of those in the Congress who still subscribed to the chief article of Mr. Gandhi's belief, non-violence, had begun to waver in that faith.

The new spirit which was growing up in the Congress found expression in the presidential address of Pundit Jawaharlal Nehru. He said: "If the Calcutta Resolution holds, we have but one goal to-day, that of Independence." Independence, he continued, was "not a happy word in the world to-day, for it meant exclusiveness and isolation." But "if we use the word independence we do so in the sense not hostile to the larger ideals. Independence for us means complete freedom from British domination and British imperialism. . . . We stand, therefore, to-day for the fullest freedom of India.

"This Congress has not acknowledged, and will not acknowledge, the right of the British Parliament to dictate to us in any way. To-day or to-morrow we may not be strong enough to assert our will. . . . But let no one, least of all England, mistake or underrate the meaning or strength of our resolve. . . .

"We have not the material or the training for organised violence, and individual or sporadic violence is a confession of despair. The great majority of us, I take it, judge the issue not on moral but on practical grounds, and if we reject the way of violence it is because it promises no substantial results. But if this Congress, or the nation at any future time, comes to the conclusion that methods of violence will rid us of slavery, then I have no doubt that it will adopt them. Violence is bad, but slavery is far worse."

which became operative at once was that declaring the boycott of the Legislatures. The boycott of the Round Table Conference was only " in existing circumstances." And the launching of civil disobedience and tax resistance was to become operative if and when the Congress Committee ordered it.

But the Congress at Lahore had taken the first and fateful step in what Mr. Gandhi somewhat strangely terms " a peaceful war."

Indian Liberal Federation

Meanwhile, the most important political organisation outside the Congress, the National Liberal Federation, was meeting at Madras.

The Indian Liberals were no less nationalist in their aims than the Congressmen. The difference which had existed between them in the past had been a difference of method, but since the appointment of the Statutory Commission even this difference did not divide them. This unity, however, was broken by the decision taken by the Congress at Lahore. Whilst holding fast to the belief in India's right to *Swaraj*, the Liberals believed that an equal place with the other Dominions in the British Empire would give India the independence she demanded. They hoped that the proposed Round Table Conference offered an opportunity, if India showed herself equal to the occasion, of achieving that goal.

Lord Russell's Speech

Just when political opinion in India was in this critical state, new doubts were introduced as the result of an unfortunate speech made by the late Lord Russell, who was then Under-Secretary of State for India. Speaking at Cambridge in January 1930, Lord Russell was reported to have said that Dominion status was not possible at the moment and would not be for a long time.

This statement, which was widely reported in India, caused great rejoicings not only amongst the reactionaries in this country, but even more in the ranks of the Congress and the more advanced sections in India. The latter regarded it as a timely exposure of the real attitude of the Labour Government in Britain.

But to the moderates and others in India, who were co-operating with the Viceroy and the Secretary of State in creating a new atmosphere, this ill-considered observation, made by one who held such an important office, was not encouraging. If this was the spirit in which the Round Table Conference was being convened, then such leading Indians as the Rt. Hon. Srinivasa Sastri, Sir Tej Bahadur Sapru, Sir Chimanlal Setalvad, Sir Phiroze Sethna, and Mr. N. C. Kelkar—to name only a few—made it clear that they could not have anything to do with it.

This passage, in what was an unprepared speech by Lord Russell, dealing mainly with matters having no connection with Indian politics and delivered to a local society in Cambridge, had an effect in India out of all proportion to its real significance.

British Press Propaganda

Enough harm had already been caused, and was still being caused, by the campaign carried on against the Viceregal Declaration of the previous October by reactionaries in this country. Lord Rothermere's newspapers, and in particular the *Daily Mail*, had known no limits in their denunciation of this Declaration. Lord Irwin who had made the Declaration, the Labour Government that had authorised it, and Mr. Baldwin who had been responsible for the appointment of Lord Irwin to the Viceroyalty, were all subjected to this campaign of vilification. To India the campaign was given a more formidable appearance by reason of the fact that

prominent members of both the Conservative and Liberal Parties seemed to subscribe to the view that for the Viceroy to use the term "Dominion Status" in connection with India was dangerous and misleading, because there was no intention on the part of the British people to confer that status upon India at an early date.

India's Debts and Liabilities

A resolution which had been passed by the Congress at Lahore on the question of the repudiation of debts came as a god-send to the promoters of the aforementioned campaign. To confer Dominion Status upon India, the British public was told day after day, was to hand India over to a party that had already announced its intention of repudiating all debts and liabilities owed by India to this country. In point of fact this was a travesty of the position taken up by the National Congress at Lahore. Yet it was accepted without further inquiry by many in this country who had no sympathy with the reactionary attacks on Lord Irwin's statement.

Actually, what the resolution passed at Lahore called for was not any wholesale repudiation of India's debts and liabilities, but their examination by an independent tribunal. The text of the resolution stated "that the financial burdens, directly or indirectly imposed on India by a foreign administration, are such that a free India cannot bear and cannot be expected to bear; that this Congress expresses the opinion that every obligation and concession which an independent India will inherit shall be strictly subject to investigation by an independent tribunal, and that every obligation and concession, no matter how incurred or given, shall be repudiated if it is not found by the tribunal to be just and justifiable."

There is nothing extraordinary in such an examination of debts and liabilities, when the administration of two countries is being dissociated. Also in India there is

effect that "His Majesty's Government have no intention of allowing a state of things to arise in India in which repudiation of debt could become a practical possibility. . . . In dealing with any scheme of constitutional change in India, Parliament could not fail to provide safeguards, should they be needed, against a breach of the conditions under which these loans were issued."

Such attempts as these, carried on persistently by a section of reactionary opinion in Britain, to destroy confidence both in this country and in India, together with the growing impatience of Indian popular opinion, increased the feeling of uncertainty amongst the moderate elements in India.

Indian Liberals' Manifesto

They were not prepared, however, to follow the Congress into a civil struggle with the Government.

Their attitude is shown in the appeal issued by the Indian Liberal Federation in the middle of January 1930 to all those in India who dissented from the policy adopted at Lahore. It stated: "The announcement made by His Excellency the Viceroy on October 31st last with the full consent and authority of His Majesty's Government evoked a remarkable feeling of response in the country and from the Indian Princes, which led us to believe that the solution of the difficulties with which we have been confronted was at last within sight. The debates that followed in the House of Lords and in the House of Commons unfortunately gave rise to a great deal of misunderstanding with regard to the meaning and effect of the purpose and scope of British policy adumbrated by His Excellency the Viceroy.

"Nevertheless, those of us who realise the political conditions surrounding the Labour Government in England were disposed and are still disposed to attach far greater significance and weight to the authoritative

statements made by His Majesty's Government through the Secretary of State in England and the Viceroy in India than to their critics in Parliament or in the English Press.

"As we read the situation, the essential condition of success at the Round Table Conference is that there should be the maximum amount of agreement amongst ourselves in India. If we can secure such an agreement, our representatives at the Round Table Conference will be able to press with every hope of success for complete Dominion Status being established, subject to such safeguards and reservations, including the protection of the interests and rights of Minorities, as might be necessary in the present condition of India for the period of transition.

"We firmly believe that the only rallying cry which can unite Hindus, Mohammedans, Christians, Sikhs, Parsis, the Europeans, the propertied classes, and the labouring and depressed classes, can be Dominion Status for India, not as a distant goal or ideal but as an object capable of achievement within the shortest limit of time. . . .

"Believing as we do that the Labour Government and Lord Irwin are in real earnest in seeking an acceptable solution of the constitutional problem, we should be guilty of utter short-sightedness and lack of statesmanship if we failed to seize the opportunity that has been extended to us.

"We realise that the task of those who believe in Dominion Status and who are prepared to work for it has become more difficult by reason of the attitude adopted by one leading political organisation in India and that their responsibility has become all the greater, but if all the other Parties who believe in Dominion Status will join hands together in pressing India's claim, there is no reason why we should not achieve it. . . .

"Believing as we do in principles of justice and equality and fairness to all parties and communities and interests, we make the strongest appeal to all those whose objective is Dominion Status to devise a means of common deliberation."

Viceroy on Round Table Conference

It was still hoped by the moderates that it might be possible for some statement to be made by the Government which would clear up the doubts which existed as to the authority to be given to the Round Table Conference in shaping India's constitutional future. In his speech to the Legislative Assembly on January 25th, 1930, the Viceroy was unfortunately not able to fulfil these hopes.

"The assertion of a goal," said Lord Irwin, "however precise its terms, is of necessity a different thing from the attainment of the goal." He went on to say that "the Conference which His Majesty's Government will convene is not indeed the Conference that those have demanded who claimed that its duty should be to proceed by way of a majority vote to the fashioning of an Indian constitution which should thereafter be accepted unchanged by Parliament. It is evident that any such procedure would be impracticable and impossible of reconciliation with the constitutional responsibility that must rest both on His Majesty's Government and upon Parliament; but, though the Conference cannot assume the duty that appertains to His Majesty's Government, it will be convened for the purpose, hardly less important, of elucidating and harmonising opinion and so affording guidance to His Majesty's Government, on whom the responsibility must subsequently devolve of preparing proposals for the consideration of Parliament."

In India generally the situation had suffered very considerable deterioration since the breakdown of the

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In India generally the situation had suffered very considerable deterioration since the breakdown of the

Delhi conversations and the decisions taken by the Lahore Congress. Moderate opinion in India, therefore, was anxious that no time should be lost in calling the proposed Conference so as to turn attention to the opportunity of practical co-operation which had been offered by the Government's proposal.

Reason for Delay

The difficulty which faced the Government in fixing the date of the proposed Conference was the delay of the Statutory Commission in drawing up their Report. In his speech to the Assembly, Lord Irwin, therefore, was not able to give any indication as to when the Conference was to be convened. "It could not be," he said, "until after the publication of the Report of the Statutory Commission, and after His Majesty's Government, the Government of India, the Local Governments, the Princes, and general public opinion had had a reasonable time to study the complicated questions with which the Report would deal."

This delay was the more unfortunate since Indians, even of the most moderate school of thought, placed no confidence in the impartiality of the Statutory Commission. Even if the Report of the Statutory Commission were to prove sympathetic towards the aspirations of India, the circumstances which surrounded its appointment, and its investigations in India, made it certain that it would be received with hostility.

It must be recognised that it would have been a constitutional impossibility for the Government to have done other than await the presentation and publication of the Statutory Commission's Report. To Indian moderates, though, this made it all the more desirable that a clear indication should be forthcoming from the Government to the effect that the proposed Round Table Conference was intended to frame proposals for placing India's

constitution on a permanent basis. Without something more tangible to point to than the Viceroy's declaration of the previous October and the subsequent vague statements with regard to the scope of the Conference, the moderates saw no possibility of being able to rally popular opinion behind them in support of co-operation.

Especially was this the case in view of the important developments which were taking place in consequence of the decisions taken by the Congress at Lahore. The only part of the programme adopted there at Christmas 1929 which was immediately operative was the boycott of the Legislatures. It seemed at first that this call for the resignation of Congressmen from all the Legislatures, Central and Provincial, would either fail or would lead to a split in the Congress ranks. There certainly seemed to be no atmosphere for the bold programme of Civil Disobedience laid down at Lahore. Even Mr. Gandhi, in an interview in the middle of January 1930 with the *Statesman*, the European daily newspaper of Calcutta, showed little confidence in the immediate readiness of the country for a wide campaign of civil disobedience. Almost alone amongst the Congress leaders he evinced any enthusiasm for such a campaign.

Congress Attitude

Whilst all except the Right Wing of the Congress seemed to favour non-co-operation with the proposed Round Table Conference, most of the Congress leaders seemed to show little faith in the efficacy of the method of passive resistance in combating the armed authority of British power. As we have seen, there had been growing for some time in the Congress a body of opinion which openly avowed its belief that ultimately India could only be free if she were independent, outside the British Empire, and that whether she liked it or not she could never attain this position by peaceful means. But

Chapter XVIII

CIVIL DISOBEDIENCE

It was not until February 17th, 1930, that a definite decision was taken by the Working Committee of the Congress to authorise a Civil Resistance Campaign. Even then it did not envisage a country-wide campaign. The resolution authorised Mr. Gandhi, and those working with him who believed in non-violence as an article of faith, to start civil disobedience as and when they desired, and in the manner and to the extent they should decide. The Committee urged that non-violence should be preserved " despite any provocations that might be offered."

On March 6th Mr. Gandhi addressed his historic letter to the Viceroy, announcing his intention of leading a movement for the breaking of the Salt Laws. He admitted that there was a party of violence which was gaining ground and making itself felt. Although its end was the same as his, he was convinced it could not succeed, and in his view nothing but unadulterated non-violence could check " the organised violence of the British Government."

His purpose, he said, was to set in motion that force as well against the organised violent force of British rule, as against the unorganised violent force of the growing party of violence. This non-violence was to be expressed through civil disobedience, confined at first to the inmates of the Satyagraha Ashram (his own seminary at Ahmedabad). But it was ultimately designed to cover

allegiance to Mr. Gandhi had still kept the Congress committed to a policy of non-violence.

Yet even so to put into practice a programme of boycott and civil disobedience seemed to some to be asking for an outbreak of violent disorder. Writing on this point in his own paper, *Young India*, on January 23rd, 1930, Mr. Gandhi admitted that there was undoubtedly hatred and ill-will in the air. But he expressed the opinion that these were bound sooner or later to burst into acts of fury if not anticipated in time. He wrote that the conviction had deepened in him that " Satyagraha " (non-violent civil disobedience) could alone stop that fury bursting. He recognised that civil disobedience might resolve itself into violent disobedience, but he said it would not be the cause of it.

In accordance with the decision of the Working Committee of the Congress, January 26th, 1930, was observed widely in India as " Independence Day." The Indian national tricolour—then red, white, and green—was hoisted, and resolutions were passed expressing determination to withdraw all voluntary association from the British Government and to practice civil disobedience, including the non-payment of taxes.

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breach of the salt laws. Civil disobedience, however, was not to be started until Mr. Gandhi had reached his destination and had actually committed a breach of the salt laws and had given the word—unless he should be arrested before that, in which case civil disobedience would begin immediately on his arrest.

The Significance of the Defiance

The progress of this band of Satyagrahis to the sea to commit a formal breach of the salt laws became a focus of attention not only throughout India, but to a wider public outside in Europe and America. The attempts which were made at first, especially in the British Press, to minimise the significance of the movement, became increasingly difficult to sustain. It was easy to represent the attempt to defeat the Government's salt monopoly by the private making of salt as childish and futile. But it had a symbolic significance. The salt tax and the Government's monopoly of salt had been the subject of agitation for many years. In calling upon Indians to break the Salt Act Mr. Gandhi asked them to regard it as an example of the "unjust" laws to which Indians were subject under the existing "alien administration."

On April 6th Mr. Gandhi formally broke the salt laws by picking up a piece of salt on the beach at Dandi. This act was immediately followed by similar breakings of the salt laws, not only by his followers at Dandi but in centres all over India.

Spread of Civil Disobedience

The ensuing days saw a rapid spread of civil disobedience in the form of the illicit recovery of salt, either from salt deposits or by means of evaporation. Within a couple of weeks of Mr. Gandhi's arrival at Dandi some two hundred Satyagrahis had courted arrest, including the President and many other prominent Congress leaders.

all those who chose to join the movement with the limitations he had laid down.

To this letter the Viceroy immediately replied merely regretting that Mr. Gandhi contemplated a course of action which was "clearly bound to involve a violation of the law and a danger to public peace."

Mr. Gandhi's March

Mr. Gandhi, with seventy-nine volunteers, accordingly left his Ashram at Sabamarti on March 11th on a march to the sea-coast at Dandi.[1] There, in the mud flats by the sea, the breaking of the salt laws, by means of the recovery of salt from the open deposits on the beach, was to take place.

As the procession passed through village after village Mr. Gandhi appealed to the people to join with them, to take to khadda (home-spun cloth), to burn all foreign cloth, to stop drinking liquor, to give up co-operation with the Government, to establish their own courts, and prepare for the non-payment of taxes.

The patels, or village headsmen, in particular, who were the representatives of the Government in the villages, were urged to resign their positions and join in with the popular movement. The march lay across a part of India in which Mr. Ghandi's influence was perhaps stronger than anywhere else, and the success which attended it was very considerable. It was claimed that by the time he reached the end of his journey the officials in a hundred and seventy villages had tendered their resignation.

At a meeting at Ahmedabad on March 21st the All-India Congress Committee authorised the provincial Congress Committees to organise and undertake "such civil disobedience as seemed suitable," adding that the Provinces as far as possible should concentrate on civil

[1] Bombay Presidency.

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One by one the chief workers in the movement were arrested, but their places were quickly filled by others. To house the prisoners the Government had to make use of blocks of untenanted chawls in the northern part of Bombay Island. These chawls, originally built for but left untenanted by the mill-workers in Bombay, had been converted into a temporary prison during the riots in Bombay in the previous year.

The civil resisters on their side, to deal with the numerous casualties in their ranks (resulting from the employment by the police of lathis in dispersing processions and crowds) organised their own ambulance corps. With the assistance of many prominent Indian medical men a special hospital was established by the Congress in Bombay city. Between May 25th and July 31st, 2,334 patients were treated by this special Congress free hospital, the vast majority of the cases being sufferers from wounds resulting from lathi blows.

Notwithstanding the frequent use of lathis by the police against those taking part in the Civil Disobedience Movement, the movement on the whole retained its non-violent character. In this it was realised by the civil resisters lay its strength. But public excitement, once aroused, is not an easy thing to control. Those in charge of the movement might do all in their power to keep it non-violent. Other elements in India, who did not share Mr. Gandhi's belief in non-violence, were likely to take advantage of the unsettled atmosphere.

Armed Raid at Chittagong

What was regarded by some as a serious instance of this was provided by an armed raid on the Armouries at Chittagong in East Bengal, which took place only just over a week after the beginning of the Civil Disobedience Campaign.

The Armouries were broken into by raiders, looted of arms, and set alight after the sentries and a non-commissioned officer had been shot dead. The whole attack was thoroughly organised. While the Armouries were being attacked, another group of raiders proceeded to the telephone exchange, drugged the operator, and burned the switch-board.

As a result of this terrorist coup, nine persons were killed, two of whom were Europeans. And although troops were brought up, and the raiders driven off, none of them were arrested, but escaped to the hills in cars.

It is quite true that this terrorist raid at Chittagong had no connection with Mr. Gandhi's movement, and might, and probably would, have happened even had he not launched his Civil Disobedience Movement. It was, in fact, an outcrop of a terrorist movement which had existed underground in Bengal for years. Coinciding as it did, however, with Mr. Gandhi's movement, and especially in view of the fact that an influential younger section of the Congress was known to be dissatisfied with his non-violent methods, it was natural that this murderous outbreak should be associated in people's minds with the Congress campaign.

However non-violent the intentions of the protagonists of the Civil Disobedience Movement, it was inevitable that the mass excitement which it aroused should occasionally lead to serious public disorder. At Karachi and Peshawar, in the first few weeks of the campaign, serious clashes occurred between the authorities and the civil resisters.

Casualties at Karachi

At Karachi trouble arose following the arrest of a number of prominent public men, who were taking part in the Civil Disobedience Movement. Crowds assembled before the Court House, and to disperse them the

authorities resorted to firing. Eight people were seriously injured, two of whom died.

Serious Clash at Peshawar

At Peshawar, in the North-West Frontier Province, a much more serious clash occurred. This again followed on the arrest of a number of Congressmen. News of their arrest excited public feeling, and a crowd assembled outside the Congress headquarters in the city. Feeling was heightened when armed police appeared upon the scene, with warrants to arrest two more of the Congress leaders.

The two leaders gave themselves up, but the crowd formed a procession around them and proceeded to march with them to the prison. What happened thereafter is not at all clear, but a misleading message reached the police headquarters to the effect that the leaders had been forcibly rescued by the crowd, and that the police were unable to deal with the situation. Acting on this mistaken intelligence the Deputy-Commissioner of Police set out for the prison with armoured cars.

The sudden appearance of armoured cars surprised and angered the crowd. Incidents were quick to arise, and it was not long before orders were given to open fire upon the crowd. Other troops were brought up, and further incidents followed—resulting in a second firing on the crowd. About twenty people were killed and at least thirty wounded.

The Peshawar affair was the subject of inquiry both by the Government and by the Congress. The official and non-official reports are conflicting on important points. One thing, however, seems to be certain—that the Indian city magistrate urged the authorities not to bring armoured cars into the city, and that had his appeal been heeded the situation which developed, and which led to the shooting, would never have arisen.

The unfortunate effect of this affair was heightened by the divergence between the official and non-official versions. Nor was feeling lessened by the report that on the same day a platoon of the Gharwal Rifles had refused to obey orders to proceed to the scene of the disturbance to shoot on their unarmed countrymen.

The disturbed state of the Peshawar district which followed led to a temporary withdrawal of the authorities. For a week Peshawar city was completely under the control of the local Congress organisation. Even when, with the aid of a considerable show of force, control of Peshawar city was regained, the surrounding district remained in a dangerous state of excitement. In the ensuing weeks the trans-frontier tribesmen launched an attack, and the discontent amongst the villagers of the district enabled them to advance at one time to within only a few miles of Peshawar city.

Tariff Bill

The Civil Disobedience Movement drew fresh strength from events which took place in the Indian Legislative Assembly at the end of March 1930.

For the purpose of protecting the Indian cotton manufacturing industry, and for purposes of revenue, the Government of India proposed to increase the tariff on imported manufactured cotton goods. This proposal, which was regarded by the Indian cotton industry as long overdue, was greeted by strong agitation in Lancashire. Lancashire protested against the Government of India, which was responsible to the British Parliament, being allowed to increase Indian tariff duties against Lancashire cloth.

Reference has been made elsewhere to the resentment which was felt by Indians at the manner in which, at one time, the Lancashire cotton industry had taken advantage of Britain's position in India to exploit the

Indian market at the expense of Indian industry. Under the constitutional reforms introduced in 1919 a convention had been established, on the recommendations of the Montagu-Chelmsford Report and of the Joint Committee of both Houses of Parliament, giving to India autonomy in fiscal matters. In the light of past events this Fiscal Autonomy Convention was regarded as one of the most important advances granted to India by the 1919 Reforms. The agitation in Lancashire, therefore, against the enhancement of the Indian duties on imported cotton goods, and the demands made by Lancashire interests for pressure to be brought by the British Government on the Government of India to prevent the raising of the duties, were naturally resented in India.

This resentment became even stronger when the Finance Member of the Government of India introduced his Budget and it was disclosed that the enhancement of the tariff on imported cotton goods by 20 per cent. was only to be imposed on non-British foreign imports, and that British cotton goods were to be subject to an increase of only 15 per cent.

Not only the Indian elected Members in the Legislative Assembly, and organised public opinion outside, but the Government of India itself had over and over again expressed themselves against the introduction of Imperial Preference in India. But now, in deference to Lancashire agitation, this very principle was being introduced.

Despite the protests of the elected Members of the Legislature the Government of India went forward with their proposals, and finally threatened to withdraw the whole Bill, including protection for the Indian cotton industry, unless it was agreed to in its entirety by the Legislative Assembly. Only so were the Government able to secure the passage of their Tariff Bill. But their

action in threatening to make Protection for the Indian cotton industry dependent upon the grant of Preference for Lancashire cotton goods was widely looked upon in India as a breach of the Fiscal Autonomy Convention.

Resignations from Assembly

After the passage of the Bill, Pundit M. M. Malaviya, leader of the Nationalist Party in the Legislative Assembly, and his followers resigned their seats as a protest against the Government's action. Pundit Malaviya joined the Civil Disobedience Movement and took a prominent part in the organisation of the boycott of foreign cloth.

These resignations were followed, some weeks later, by the resignation of Mr. Vithalbhai Patel, the President of the Legislative Assembly.

Indian Women Join in

One of the most remarkable features of the Civil Disobedience Movement—and a great source of its strength—was the part played in it by women. Indian women previously had taken no part in political movements, but now they were in the forefront. To defy "unjust" laws, to picket, to boycott, were the expression of true patriotism for women no less than men. Neither prison nor lathi blows seemed to hold any terrors for them.

Chapter XIX

BOYCOTT OF BRITISH GOODS

The Civil Disobedience Movement assumed formidable proportions in Bombay. In other Provinces its manifestations increased in frequency, and the open support and sympathy shown by the people grew more marked. The illicit manufacture and collection of salt—the first expression of the movement—was of necessity concentrated mainly in those districts where there were either salt deposits or saline mud from which salt could be recovered.

Arrest of Mr. Gandhi

Towards the end of April 1930 Mr. Gandhi announced his intention of leading a raid on the Government's salt depôt at Dharasana. His instructions were that no violence was to be used, and any attempts made by the Excise officials or the police to prevent the carrying away of salt from the depôt were to be met only by passive resistance. He was prevented, however, from leading this raid by the decision of the Government to effect his arrest.

At Karadi, near Surat, on May 5th, 1930, Mr. Gandhi was arrested under the Bombay State Prisoners' Regulation of 1827. This Regulation was the Bombay version of the Bengal Regulation III of 1818, which had been used by the Government as a method of arresting and imprisoning people for an indefinite period without trial.

Conflicts with Police

This arrest had no effect in hindering the growing popular support given to the Civil Disobedience Movement. In Bombay Presidency, where the movement was strongest, mass raids were made on the salt depôts at Dharasana and Wadala. In repulsing these, lathi charges were made by the police and hundreds of civil resisters were arrested. Bombay city became the scene of repeated conflicts between popular processions and the police.

Hartals

Mr. Gandhi's arrest was marked in all the chief centres in India by a prolonged *hartal* (a period of mourning observed by complete cessation of work). The *hartal* passed off without any serious mishap in most places, but at Delhi and Sholapur it had tragic consequences. At Sholapur a very serious situation arose.

Serious Incidents at Sholapur

Sholapur is a small industrial town in the Bombay Presidency engaged in cotton spinning and weaving. A prolonged *hartal* was observed there on May 5th and was followed three days later by a huge procession through the principal streets. The procession passed without any disturbance, but later incidents of law-breaking occurred (in the shape of cutting down toddy palm trees) and led to a number of arrests.

News of the arrests assembled the usual crowd. Stone-throwing began, and continued in spite of the attempts of Congress volunteers to disperse the crowd. As a result the police opened fire, killing four and seriously injuring some twenty-five others.

This firing on the crowd had an appalling outcome. They retaliated by murdering a police officer and

partially burning his body in the road. They fatally injured another officer, and later burned all the buildings of the District and sub-Judge's Courts.

The authorities were rendered powerless, and for the next three or four days the only authority recognised in the town was that of the Congress volunteers. It was not until May 13th that the town was occupied by the military and martial law declared.

Fortunately the Sholapur incident was an isolated event. That it could have happened at all gave striking evidence of the state of popular feeling at that time. It was given great prominence in the British Press, which published descriptions of hideous brutalities by the mob at Sholapur which in fact had not taken place. Subsequently, in India, these reports were officially denied by the Bombay Government. It is worth noting that some of the London daily newspapers which had given prominence to these reports did not take the trouble to publish the official denial.

The raids on the salt depôts and breaches of the Salt Laws continued right up to the breaking of the monsoon. As the salt raids diminished in frequency, the boycott movement rapidly spread in Bombay and Calcutta, and elsewhere in India.

Boycott

The first phase of the Civil Disobedience Movement had consisted mainly of formal demonstrations. The second phase, with its organisation of the boycott of all British goods, and especially of British cloth, was much more serious in its effect.

This new development found a strong advocate in Mr. Vithalbhai Patel, who, until a short time before, had been President of the Legislative Assembly. In a speech which he made at Bombay a few days after Mr. Gandhi's arrest, Mr. Patel urged the starting of a boycott of

Government and the movement continued. Just about this time, too, the Report of the Statutory Commission (the subject of the succeeding chapter) was issued.

Ordinances

On May 30th the Viceroy promulgated two Ordinances. They were directed against the no-tax campaign, the picketing of liquor and cloth shops, and the intimidation of Public servants.

The Government's challenge was immediately taken up by Congress. Three days after the promulgation of the Ordinances five hundred women picketers showed their defiance by mass picketing of the " foreign " cloth shops in Bombay. Such cloth shops in Bombay, and in other important cities in India, were daily picketed, and the boycott of British goods extended to all kinds of British imports. Despite the efforts of the Government to suppress it, an unregistered (and therefore illegal) cyclo-styled news sheet called the *Congress Bulletin* appeared daily and had a wide sale.

Social Boycott

In some districts, and especially in Gujarat, the spread of a social boycott of Government officers created considerable difficulty in carrying on administration in the villages and small towns. Early in June so intense was the social boycott in the Gujarati-speaking districts of Bombay Presidency that the Government was compelled to open shops at Bardoli—where its officers, who were boycotted by all the ordinary shops, could purchase vegetables, grain, and other commodities.

Bombay city, one of the great cities of the world, was the scene of daily processions and demonstrations, which neither the Government banns on these manifestations, nor the lathi charges by the police, nor wholesale arrests, were able to repress. On the contrary the measures taken

by the authorities to put down these popular demonstrations seemed to have the effect of increasing public sympathy for the demonstrators. The frequent resort to the use of lathis to disperse their countrymen roused even those Indians who themselves were taking no active part or whose views were opposed to those of the Congress.

Resignations from Legislative Assembly

Sir Purshotamdas Thakurdas and Lalji Naranji resigned their seats in the Legislative Assembly. The Bombay Merchants Chamber, whose representatives they were in the Assembly, announced that in view of what was taking place in Bombay the Chamber preferred to be unrepresented.

Under the presidency of Pundit Motilal Nehru the Working Committee of the Congress met in Allahabad on June 11th. The Committee called on the country to meet the situation created by the Ordinances by publicly disobeying them. The people were to carry on with redoubled vigour the peaceful picketing of liquor shops and foreign cloth shops, and the social boycott of public officers known to have taken part in "unjustifiable assaults." An extension was called for of the campaign for the non-payment of the Chowkidari tax in Bengal, and a similar campaign was to be launched in Bihar and Orissa.

The movement was now showing vitality even in Provinces which hitherto had not played a very prominent part. This widening of the movement was reflected in the decision of the Government, in the third week of June, to extend to the Punjab the Ordinances regarding picketing.

Bombay Black Saturday

At this critical stage on June 19th Pundit Motilal Nehru, the Acting President of the Congress, paid a visit

to Bombay. In a public statement on his arrival he said that civil disobedience would be continued with redoubled vigour until the Government proved its *bona fides* that it was willing to satisfy the national aspirations.

Two days after his arrival a rally was announced of Congress volunteers on the Maidan, the great open space in Bombay. Pundit Motilal Nehru was to inspect the volunteers.

In this way originated Black Saturday as it was afterwards called (Saturday, June 21st). As each band of volunteers arrived on the Maidan, it was charged by the police. A serious feature of the proceedings was a detachment of about twenty Sikhs, who defeated every attempt of the police to force them to give ground and who were surrounded by a cordon of women volunteers. Many of these women were hurt. After Pundit Motilal Nehru's arrival a further police charge was made. There were in all five hundred casualties, of which a hundred and fifty were such as to require treatment in the Congress hospital.

Many even of those who supported the Government found it impossible to justify the employment of such measures against unarmed crowds. Indignation was wide-spread in Bombay, and in the afternoon the Bombay Sharebrokers' Association organised a procession in protest. This also was dispersed by the police.

It seemed impossible that the situation which had developed could be allowed to continue. Private discussions between certain leaders of moderate opinion and business interests in Bombay with Pundit Motilal Nehru gave some grounds for hope that, with statesmanship on both sides, a way could be found out of the bitter deadlock which had developed between the Government and the popular movement.

Pundit Motilal Nehru's Terms

Pundit Motilal Nehru gave an interview[1] in which he showed his readiness to try to find a settlement. He said: "If it were made clear that the Round Table Conference would seek to frame a constitution for a free India (subject to such adjustments of our mutual relations as are required by the special needs and conditions in India, and by our past association) I would be disposed to recommend the National Congress to accept an invitation to participate in a Conference. We must be masters in our own household, but we are ready to agree to reasonable terms for a period in which to transfer power from the British administration in India to a responsible Indian Government. We must meet the British people in order to discuss these terms as nation to nation on an equal footing."

If these terms could be conceded, together with the granting of an amnesty for political prisoners, the Pundit thought that a political settlement would be possible.

The Bombay Correspondent of the London *Times* cabled to his paper on June 26th: "One hears . . . from every side demands for a clearer statement by the Government of India on the aims of the Round Table Conference.

"The *Times of India* states," the message continued, "that even the most moderate of Indian leaders feel that, with the Commission's Report before them, something more is required than the mere reiteration of the absolute freedom of the Conference."

Equally significant was the letter which the Bombay Chamber of Commerce, a European Association, addressed to the Bombay Millowners' Association. This letter endorsed the conclusion of prominent Indians

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that "simultaneously with the calling off of the Civil Disobedience Movement there should be a general amnesty of political prisoners not guilty of violent crimes, and a definition of the purpose of the Conference to be the evolution of self-governing Dominion Status with safeguards for the transition."

When Pundit Nehru left Bombay on June 25th there seemed to be some reasonable grounds for hope that a rapprochement between the Government and the Congress might be possible.

Pundit Motilal Nehru's Arrest

India was taken by surprise, however, by the sudden declaration by Government of the Congress Working Committee as an illegal assembly, and the arrest of Pundit Motilal Nehru shortly after his return to Allahabad from Bombay. Quite naturally many saw in it an attempt to destroy the chances of a settlement. Certainly nothing could have been more calculated to aggravate an already intolerable situation—and there seemed little hope of anything coming out of a Round Table Conference convened by the Government in that frame of mind.

At a specially convened session of the Legislative Assembly on July 9th, 1930, the Viceroy intimated that after careful consideration His Majesty's Government had reached the conclusion that it would not be right to prescribe for the forthcoming Conference any terms more limited than were implied in his statement of the previous November.[1] The hope that the Viceroy might lay down that the Conference was definitely to frame a dominion constitution was still unfulfilled. Nevertheless the speech in its spirit and substance went a long way in reassuring Indians as to the earnestness of the Government's intention.

[1] See Declaration made by the Viceroy, November 1st, 1929, p. 129.

Difficulties Made in Britain

Unfortunately, new anxiety had been aroused in India by the attitude of the Conservative and Liberal Parties in Britain. These Parties had put forward a claim that they should be represented at the Conference in addition to the British Government. This move was regarded with anxiety by Indians, because they knew that influential leaders in these two Parties regarded the function of the Conference very differently from themselves.

A few days after Lord Irwin's speech in the Legislative Assembly Mr. Winston Churchill made a speech at Waltham Abbey. In this speech he declared that talk of Dominion Status for India had no relation to present-day circumstances. " No responsible person supposes for a moment," said Mr. Churchill, " that the forthcoming Round Table Conference can produce Dominion Status for India or that Dominion Status is likely to be obtained for India within the lifetime of anyone now living."

At a moment when the efforts of statesmanship were being directed towards securing co-operation in India, nothing could have been more inopportune than this utterance. The Special Correspondent of the *Times* telegraphed from Simla that there had been many crises during the last few months when a violent speech had tipped the scale and upset all hope of reconciliation. " But few have come at a more unfortunate moment than Mr. Churchill's tactless outburst, with its denial that Dominion Status was possible within a lifetime."

Indian Negotiations for Settlement

In the course of July a number of conversations took place between the Viceroy, Sir Tej Bahadur Sapru and Mr. Jayakar. These conversations arose out of private

discussions which had taken place between certain non-Congressmen and Pundit Motilal Nehru in Bombay before the latter's arrest. Certain draft terms had been drawn up on the basis of which it was hoped that negotiations might be initiated through the mediation of Sir Tej Bahadur Sapru and Mr. Jayakar for a settlement between the Government and the Congress leaders.

As a result of the conversations with the Viceroy, he permitted Sir Tej Bahadur Sapru and Mr. Jayakar to visit the Congress leaders in gaol. They had numerous interviews with Pundit Motilal Nehru and his son at Allahabad and with Mr. Gandhi and the other Congress leaders at Poona. As a result a letter was drawn up by the imprisoned Congress leaders setting forth the terms on which they would be prepared to recommend the calling off of the Civil Disobedience Movement and the participation of the Congress in the Round Table Conference.

The contents of this letter were conveyed by the two mediators to the Viceroy at Simla. The Viceroy, however, found himself unable to consider the terms suggested. Nevertheless he gave Sir Tej Bahadur Sapru and Mr. Jayakar permission to mention to the Congress leaders the result of their conversations with him on certain specific points which they had raised. On this basis the two mediators had further conversations with Mr. Gandhi and other imprisoned Congressmen. But it became clear that any immediate compromise between the Congress view and that of the Government was not possible. Sir Tej Bahadur Sapru and Mr. Jayakar had to content themselves with placing on record the respective views set out in the conversations which had passed during the negotiations.[1]

Civil Disobedience, meanwhile, showed no signs of abating. Before the final breakdown of the negotiations,

[1] Cmd. 3728.

Pundit M. M. Malaviya, the widely revered Hindu leader, Mr. Vithalbhai Patel, who until recently had been the Speaker of the Indian Legislative Assembly, and Dr. Ansari, the Muslim Ex-President of the Congress, had all been arrested.

Chapter XX

THE STATUTORY COMMISSION'S REPORT

The Report of the Statutory Commission probably received greater publicity and commendation in the Press of this country than any previous Blue book.

Survey and Recommendations

It was issued in May 1930 in two parts.[1] The first volume, containing a survey of the problem, consisted mainly of facts and figures which had been submitted to the Commission. The second, issued a short time later, contained their recommendations. The declared intention of Sir John Simon and his colleagues, in allowing a period to elapse between the publication of the two volumes, was to enable public opinion to form some appreciation of the magnitude of the problem before approaching the suggested solutions.

The impression left by the first volume was of the overwhelming complexity of the situation in India. It seemed impossible to hope that any solution could be found that would meet every requirement.

Indians, however, considered the creation of such an impression to be misleading. The vital issue was the unanimity of political India's demand to be mistress in her own house. Differences of race, language, social customs, and so on—on which the Commission laid such emphasis—serious obstacles though they undoubtedly were, were not the real point.

[1] Cmd. 3568 and 3569.

This national demand of India found very little place in the Statutory Commission's Report. In the first part of the Report five and a half pages only out of four hundred and nine were concerned with public opinion in India.

India's Claim

It is true that the Commission stated,[1] "We should say without hesitation that, in all its variations of expression and intensity, the political sentiment which is most widespread amongst all educated Indians is the expression of a demand for equality with Europeans and a resentment against any suspicion of differential treatment. The attitude an Indian takes up on any given matter is largely governed by considerations of his self-respect. It is a good deal more than a personal feeling. It is the claim of the East for due recognition of status. . . . While the member of a minority community putting the safety of his community first will stipulate for safeguards; and while the moderate may look askance at extremist methods which he will not openly denounce, all alike are in sympathy with the demand for equal status with the European and proclaim their belief in self-determination for India."

But in view of the very small space that was given in the Report to this demand of India for self-determination, is it surprising that such passages as this received in this country far less than their due of public attention?

Proposed New Constitution

The second volume of the Report opened with an analysis of the General Principles of the Commission's Proposals. In its second chapter, "The Mechanism of Advance," the Commission laid it down, as their first principle, that India's new constitution should as far as

[1] Cmd. 3568, p. 408.

possible contain within itself provisions for its own development.

They were profoundly convinced that the method of inquiry at stated intervals had had a most injurious effect on the working of the reformed constitution and on Indian political life. There must be no more pulling up by the roots every now and then to see how the constitution was progressing.

The task of the Commission, therefore, was to frame a constitution, the provisions of which would be in harmony with future development. At the same time they could not see how, within the compass of a single statute, provision could be made for the continuous evolution of the Government of India.

But if some further recourse to Parliament would be necessary, this should be in response to the needs of the time and not to the arbitrary demands of a fixed timetable.

Federal Government

The terms of reference of the Statutory Commission laid down in the Government of India Act of 1919 dealt only with British India. The Statutory Commission, after a period of inquiry, recommended the desirability of extending these terms to enable them to consider the position of the Indian States in their proposed constitutional scheme. This was agreed to by the Government.

Their recommendations were based, therefore, on the assumption of the eventual development of India as a constitutional whole. It followed, in their view, that it was only in a federal constitution that units differing so widely in constitution as the Provinces of British India and the Indian States could be brought together while retaining their internal autonomy. They pointed out that some of the leading Indian Princes envisaged some such polity in the future.

However distant that day might be, they desired in their proposals to do nothing to hinder but everything to help its arrival. They considered that the easiest and most speedy approach to the desired end would be the reorganisation of British India on a federal basis, in such a way that individual States or groups of States might have the opportunity of entering as soon as they wished to do so.

Federation schemes usually started with a number of clearly defined States, each already possessed of individuality and consciousness. In British India there were only a number of administrative areas which had grown up almost haphazard, as the result of conquest, supersession of former rulers, or administrative convenience. No one of them had been formed with a view to its subsisting as a self-governing unit within a federating whole.

The desirability of some reorganisation of the boundaries of the Provinces was recognised. Meanwhile the existing Provinces of British India, with three important exceptions, would form the basis on which a federal structure would have to be built.

Separation of Burma

Burma, they recommended, should be separated from India and have an independent constitution. Sind, which formed part of Bombay Presidency, should be constituted a separate Province. The tracts inhabited by the Oriya-speaking peoples, which were partly included in Bihar and Orissa, and partly in Madras Presidency, should also be constituted a separate Province.

Their scheme was for an All-India Federation, developing from autonomous Provinces in British India. With these, it was hoped, the autonomous Indian States would increasingly associate. The present Central Government at Delhi would become in time " an association of units

formed mainly for the purpose of performing certain functions on behalf of all."

Provincial Autonomy

In their opinion, even if we were to ignore the Indian States and rest content with the present Provinces of British India, the necessary conditions for bringing a fully fledged constitution into being were not yet present. The Provinces, in their view, must first become political entities.

As it presented itself to them, therefore, the immediate problem was the establishment of provincial autonomy in the Provinces of British India. Not until that had taken place could the final constitution of a federal centre be determined. To devise then a detailed and final constitution for the centre would be to ignore the fact that its ultimate form must depend upon the action of its constituent parts.

The chief advance in their scheme, therefore, amounted really to no more than the introduction of provincial autonomy.

Diarchy Condemned

They admitted the force of the criticism, universal in India, of the system of Diarchy in the government of the Provinces. Rigid diarchy, in their view, was a standing challenge which either ranged Ministers against the Reserved half of the Government or exposed them to the charge of being the subservient tools of the bureaucracy. The growth of real responsibility—the whole object of the adoption of the system—was being hindered.

They proposed that the boundary between departments of which Indian Ministers might take charge and departments from which they were excluded should be removed, and diarchy terminated. The conduct of provincial administration as a whole would then rest

with a provincial cabinet, the members of which would be chosen by the Government. These Ministers, whether elected Members of the Legislature or not, would have joint responsibility for their action and policy.

The constitution of the provincial cabinet would be elastic. Where and when the Governor considered it necessary it would contain an official element, but this official element would stand or fall with the Ministry.

Some space is devoted in the Report to the question of the transfer of Law and Order. Dealing with the objections which had been raised to the transfer of this department to Indian responsibility, they pointed out that if it were retained as a Reserved department, it *meant the retention also of the very principle of diarchy* which they had condemned.

Governor's Powers

The Governor was to be endowed with special powers to over-ride the advice of his Ministers for certain purposes. The two chief circumstances in which the Governor might exert his special powers were to preserve the safety and tranquillity of the Province, and to prevent serious prejudice to one or more sections of the community. The Governor would also have full powers of intervention in the event of a breakdown in the constitution.

Provincial Legislatures

The Provincial Legislatures would be based on a widened franchise. The extension proposed would, they thought, treble the existing electorate and would include the admission of a larger number of women voters. Election to these legislatures would as at present be by direct election. Separate representation for certain communities would continue unless and until agreement were reached upon a better method.

In the case of the Depressed Classes they proposed that

representation should be secured by the reservation of seats.

It was recommended that the Provincial Legislatures should be enlarged, and that the constituencies should be reduced to more manageable size.

Statutory provision would be made to give the Provincial Legislatures power, after a period of ten years, to make changes in their own constitution.

Although some members of the Commission wanted to see Second Chambers established in at least some of the Provinces, they were unable to arrive at any unanimous decision on this question.

Indian Views

But, as I have shown, while Indians considered the abolition of diarchy in the Provinces and the establishment of responsible government in its place to be absolutely necessary, they placed even more importance on the introduction of some element of responsibility in the Central Government. Indians judged the Statutory Commission's Report accordingly in the light of its recommendations with regard to this latter point.

To make the constitution consistent with their scheme for the evolution of India into a "federation of self-governing units," the Commission proposed certain modifications in the Central Government. But the changes proposed were not in the direction of the introduction of an element of Indian responsibility. Indeed, they were more likely to remove the Central Government even further from the influence of Indian public opinion. The Commission argued that the introduction of any element of responsibility at the centre in present circumstances would mean diarchy. To that they were opposed.

The range and importance of the Viceroy's present functions, in their view, should not be narrowed, nor

its importance decreased. The Central Executive should continue to be the Governor-General in Council. But the authority, now resting with the Secretary of State, for appointing the members of the Executive Council, would be transferred to the Governor-General himself. This authority, at present conditioned by provisions in the Statute, would be conditioned only by rules made under the Statute.

The Viceroy would thus be able to exercise his authority and to effect changes in the constitution of his Executive Council, without having to resort, as hitherto, to Act of Parliament. Any modification in the rules which he might make for this purpose would simply require to be laid before Parliament, and obtain the approval of both Houses expressed by resolution.

The present Legislative Assembly would be reconstructed. It would become a Federal Assembly. Membership would be on the basis of the representation according to population of the Provinces and other areas in British India. The existing system of direct election to the Central Legislature should be abolished and its Members elected by the Provincial Councils.

To ensure the adequate representation of minority communities in the Federal Assembly, it was proposed that the election of its Members by the Provincial Councils should be by proportional representation.

There would continue to be an official element in the Central Legislature. This would consist, in addition to the members of the Governor-General's Executive Council, of twelve nominated officials.

The Council of State would continue as the Upper House. Its functions would remain as at present, and the proportions of elected and nominated members would be the same. The only change would be that its members —in so far as they were elected—would be chosen not as at present by direct election, but by indirect election by

the Provincial Councils or, if such were set up, by the Second Chambers in the Provinces.

It will be seen, therefore, that the changes in the constitution of the Viceroy's Executive, and of the Central Legislature, were not to be accompanied by any advance towards responsible central government. The Executive would remain irremovable. The only power which would be possessed by the Federal Assembly would be in so far as the irremovable Executive allowed itself to be influenced by views expressed in the Assembly.

The Army

With regard to the Army they laid down two propositions which Indian opinion had already shown that it could not accept. The first was that the control of an army, including a British element, could not be made over to an Indian Legislature. Such a transfer could only take place, they said, "when no part of the Army in India consists of British officers or troops recruited by the Imperial Government."

The second proposition they laid down was that as far as it was possible to forecast the future, the evolution of an entirely Indian military force, capable of undertaking unaided the tasks now discharged by the Army in India, must be a very slow process indeed. They could see no prospect of its happening for many years.

India and Britain are so related that Indian defence could not now, nor in any future which was within sight, they thought, be regarded as a matter of purely Indian concern. The question was therefore raised as to whether further progress towards the realisation of responsible government in British India was barred until the work of defence could be adequately discharged without the help of British officers and troops.

They suggested that the only possible method would be to recognise that the protection of the frontier of India,

at any rate for a long time to come, should not be regarded as a function of an Indian Government in relation to an Indian Legislature. It should be treated as a matter of supreme concern to the whole Empire, and one which could be effectively organised and controlled only by an imperial agency. This scheme assumed that the existing Army in India would no longer be under the control even of the Government of India. It would be under an imperial authority which, in their view, should be the Viceroy acting in concert with the Commander-in-Chief.

While control of the Army in India would be taken away from the Indian Government, the Indian Government would continue to find the greater part if not the whole of the cost of maintaining that Army. At the same time the Commission suggested that the Indian Government, in co-operation with the Central Legislature, might organise separate military forces. These, of course, would contain a British element, but would have to be paid for out of Indian revenues exclusively and controlled independently of "the Army in India."

They admitted that financial considerations would of necessity impose strict limits on the size of such forces, for the heavy contribution to the maintenance of the imperial "Army in India" on the one hand, and the demands of a progressive civil administration on the other, would definitely restrict the funds available for such additional military experiments.

All-India Services

As regards the Civil Services of India, the Security Services (the Indian Civil Service and the Indian Police Service) would continue to be recruited as All-India Services by the Secretary of State. Their existing rights would be maintained, and the rates of Indianisation,

laid down by the Lee Commission[1] for these Security Services would remain.

Secretary of State

The Secretary of State would continue to exercise authority over the Governor-General-in-Council. He would, however, have no control over the Provincial Governments, except in connection with the exercise of the special powers vested in the Governor. The Secretary of State's Council would be retained, reduced in size, and its members would be drawn from those having more recent Indian experience than had those at present.

The Commission proposed that the new Act should provide for the possibility of the creation by the Crown of a Council for Greater India, containing both representatives of the States and representatives of British India, with the object of effecting a closer association between British India and the Indian States in matters of common concern. This Council would have consultative and deliberative functions in regard to a scheduled list of " matters of common concern." The Viceroy would have power to make additions to this schedule.

The creation of this Council of Greater India would be the beginning of a process which they hoped might lead to the Federation of Greater India.

[1] Cmd. 2128. That of every 100 Indian Civil Service posts, forty should be filled by direct recruitment of Europeans, forty by direct recruitment of Indians, and twenty by promotion from the Provincial Service (Indian). By 1939, according to this scheme, half of the I.C.S. would be Indian.

Chapter XXI

THE INDIAN COMMITTEE'S REPORT

The Report of the Central (Indian) Committee,[1] which was appointed to sit with the Statutory Commission, was published independently six months before the Report of the Statutory Commission appeared. This Report was signed by all the members of the Committee with the exception of Mr. Kikabhai Premchand, who wrote a separate Report. To the main Report were appended a number of memoranda signed by different members of the Committee, and three minutes of dissent in which members who had signed the main Report developed their particular views on certain questions.

Main Proposals

Their conclusions were that an immediate and substantial step should be taken towards the attainment of Dominion Status for India, by conferring on the Provinces a liberal measure of autonomy and by making the Government of India responsible to its legislature.

Their proposals therefore differed fundamentally from those of the Statutory Commission. The question now was whether and to what extent an advance was desirable. In their view the existing constitution instead of strengthening had resulted in weakening the central authority, because of the fact that, although the legislature had an elected majority, it was faced with an irremovable executive.

[1] Cmd. 3451.

The elected majority, unable to bend the executive to its will, and finding its decisions liable to be nullified by statutory powers vested in the executive, naturally became restive and at times reckless. The irresponsibility in the executive thus bred irresponsibility in the legislature.

Responsibility at the Centre

The Committee proposed to proceed in the first instance by the transfer of all subjects except the defence of India, and its relations with foreign and Indian States, to the control of Ministers responsible to the legislature. They propounded a scheme which would not only give Indians responsibility in the Provinces, but which would also affect the Central Government.

They further expressed the opinion that so long as India did not attain full Dominion Status, it was necessary that the Indian point of view should be represented in Parliament. They suggested that means should be found, and rules prescribed, if necessary, for the election of Indians to Parliament for this purpose.

Provision should, in their view, be made in the Government of India Act to enable the goal of Dominion Status to be reached without the necessity for further inquiries by a statutory commission or other agency.

" We are convinced," they declared, " that there is no safe half-way house between an immediate advance on the lines we have indicated in our Report, and an ultimate surrender by the British Government, after years of agitation and bitterness, to India's insistent demand."

Chapter XXII

THE GOVERNMENT OF INDIA'S DISPATCH

After the publication of the Statutory Commission's Report the views of the Provincial Governments were invited by the Government of India. In the light of these views, and with due regard to the opinions expressed in India following the publication of the Commission's recommendations, the Government of India drew up its dispatch to the Secretary of State.

Political Forces

Before dealing in detail with the recommendations of the Commission, the dispatch described the political forces at work in India. It showed that it was inevitable that the national impetus should come, and that it would be a grave mistake to underestimate its force, or to depreciate its value. This was a necessary condition of the building up of a wider and more vigorous life, and of that development of a self-governing India which from early times had been the ideal of the most far-seeing of its British administrators.

The conditions for a substantial transfer of power were not in their view unfavourable, and they were convinced that the time had come when " the broadest considerations of imperial policy demand that we should spare no efforts, and even take some risks, in order to arrive at a constitutional solution which will give reasonable scope to the ideas and aspirations that are moving India to-day."

be wholly deprived of that element of strength which comes from support of public opinion. On this account the Government of India rejected the Statutory Commission's proposals concerning the Central Government.

They did not favour the adoption of a system of formal diarchy in the Central Executive. At the same time, in their view, some lack of unity was better than complete divorce from the Legislature, and they recommended the inclusion in the Viceroy's Council of elected members of the Legislature.

Under the proposals of the Commission they feared the Executive would find itself constantly faced with the dilemma either of conflict with the Legislature or of subordination to its views. The answer that had been suggested by the Commission was that in fact government policy at the centre would be affected by the action of the Legislature, and that the Executive would to an increasing degree be responsive to the will of the Assembly. But as the Government of India pointed out, responsiveness to the Legislature was difficult to combine with a strict adherence to the principle of responsibility to Parliament over the whole field. Complete responsibility, they considered, could not yet be introduced into the Central Government. At the same time they thought there must be some sharing of power between Parliament and the Indian Legislature. The purposes for which Parliament would wish to interfere should be clearly defined. Apart from these purposes, the Government of India should act closely with the Indian Legislature.

According to this scheme the activities of the Central Government could be viewed as falling into three categories. There would be those subjects in which Parliament's responsibility would remain, such as Defence, Foreign Affairs, certain aspects of Law and Order, and Finance.

Secondly, there would be those matters normally directed in accordance with the views that commended themselves to the majority of Indians, but subject always to the possibilities of parliamentary intervention if any of the purposes of Parliament were threatened. This category would include the methods of taxation by which the revenues of the Central Government were raised, the tariff and commercial policy, and the management of railways.

Finally, there would be the range of subjects which remained and which would be administered in accordance with the wishes of the Indian Legislature.

The Government of India saw disadvantages in the Commission's proposal for the replacement of the existing system of direct election to the Central Legislature by indirect election through Provincial Legislative Councils. But on this they expressed no final view.

Position of Viceroy

They accepted the Commission's proposal to place upon the Viceroy himself the responsibility of selecting and appointing the members of his Executive Council—an authority at present exercised by the Crown, on the advice of the Secretary of State. But in accepting this proposal they said they had drawn what appeared to them the consequential inference, that the exercise of the functions for the Government of India, which reside in the Crown, should be directly devolved upon the Viceroy, and that therewith should go the power to appropriate the revenues of India. For the first time the Government of India would be not merely the agent of the Secretary of State, but would possess a distinct individuality.

Defence Question

With regard to Defence, the Government of India was opposed to the suggestion of the Commission to remove

the control over defence from the Government of India and to make it a matter of imperial responsibility. They thought it was open to doubt whether this endeavour to avoid a special constitutional difficulty might not cause a greater danger of attempting to detach an important function of government from its true place in an organic whole, and whether control of defence could in fact be isolated as the Commission proposed. They concluded that it would be preferable for the Government of India to retain control over defence.

They considered that the creation of any new type of armed force would be an unnecessary complication. They greatly preferred that in future all units selected for Indianisation should retain the status and functions of regular fighting troops, and that any advance in the Indianisation of officer ranks must be made within the Army itself, and that units selected for this purpose must continue to be trained and employed in the same way as others which retained British officer establishments.

In concluding their Dispatch the Government of India expressed the hope that if their suggestions were placed at the disposal of the Round Table Conference, they might be of some assistance to those " on whom will rest a heavy responsibility, and the result of whose labours all who can measure the issues that are involved will anxiously await."

Chapter XXIII

THE FIRST ROUND TABLE CONFERENCE

Congress Not Represented

The personnel of the proposed Round Table Conference in London was announced on September 11th, 1930. The failure of the peace efforts of Sir Tej Bahadur Sapru and Mr. Jayakar meant that the school of thought expressed by the Congress was not represented. All other shades of opinion and interests in British India were represented.

In addition to the fifty-eight members who comprised the British-India Delegation, the Indian States were represented by a strong delegation consisting of many of the chief Ruling Princes. The members of these two delegations arrived in London at the end of October 1930.

Federation Agreed To

The formal opening of the Round Table Conference by the King-Emperor did not take place until November 12th. The actual work of the Conference began on November 17th.

In the interval numerous informal discussions took place between British Indian delegates and those representing the Indian States, the outcome of which proved to be of tremendous importance.

It had been assumed both by the Statutory Commission and by the Government of India in their Dispatch that the creation of a Federation of All India was

a more or less distant ideal. It became manifest, however, even before the initial session of the Conference, that a completely new factor had been brought into the situation by the readiness of the Rulers of the Indian States to consider an immediate entry into an All-India Federation. The condition the Princes insisted on was that British India should recognise their sovereignty in the Indian States.

The Maharajah of Bikaner, on the first day of the Plenary Session of the Conference, responding to an invitation by Sir Tej Bahadur Sapru for the Princes to take their stand by British India, declared their willingness to do so in a federal system of government.

Dominion Status

The speeches which were made at the opening Plenary Session made it clear beyond doubt that the only thing which could satisfy Indian opinion would be responsible government and equal status with the Dominions. On this point all Indian delegates were in agreement—whether Rulers of Indian States, representatives of political opinion in British India, Hindus, Muslims, Depressed Classes, or other communities.

Committees

Committees of the Conference were set up to deal with the questions of the Constitution of the Provincial Governments, the Separation of Burma from British India, Minorities, Franchise, Defence, the Services, the North-West Frontier, and the Separation of Sind.

In the second week of January 1931 the Reports of these Committees were submitted to the whole Conference *sitting in committee.* A procedure was adopted whereby the Reports of the Committees were "noted," with the observations made by members of the Conference.

Results

The chief results of the Conference were summed up by Sir Tej Bahadur Sapru in a speech which he made at the Final Plenary Session of the Conference on January 19th. He pointed out that three central ideals had emerged. "One, the higher, nobler, loftier idea of an All-India Federation, which has taken such a material shape mainly because of the patriotic attitude adopted by the Indian Princes. The second important idea is the idea of responsibility at the centre. The third important idea, which is an integral idea of all systems of responsible government, is that India must be prepared in the years to come to defend herself."

The Indian States in all questions of paramountcy were still to retain their contact with the Crown through the Viceroy. They were, however, anxious to join the common organisation for all subjects which were scheduled as federal.

The federal authority was to be self-governing, subject to certain agreed safeguards for a transition period. Two Houses of the Federal Legislature were decided on. To these Members from British India would be elected. The Rulers of the States would, at least to start with, nominate Members to represent them. The Governor-General would choose his Cabinet from amongst the Members of the two Houses. The Cabinet could be turned out on the passing of a specific vote of No Confidence.

During a transitional period certain aspects of government were to be reserved to the Governor-General and excluded from the purview of the Legislatures. The control of the defence would be reserved in this way, but the legislature would continue as now to discuss military matters. The final decision, however, would rest with the Governor-General in consultation with the Commander-in-Chief.

At the same time it should be noted that the Defence Committee of the Conference made it clear that, with the development of the new political structure in India, the defence of India must to an increasing extent be the concern of the Indian people and not of the British Government alone.

Another subject reserved to the Governor-General was that of external affairs, with the exception of matters relating to the League of Nations and the International Labour Office at Geneva with which India would continue to deal direct.

Although the relations of the Crown with the Princes embraced in the term "paramountcy" were also to be reserved to the Viceroy, it might be that a Supreme Court, were it established in India, would have jurisdiction over all matters affecting dynastic succession, the number of guns to which Princes are entitled as a salute, and similar matters. In any event it was understood that such matters would not be settled as at present by the Governor-General in Council alone, nor by the Federal Legislature. The right of interference in any question of mis-government in an Indian State would remain with the Viceroy.

It was only with regard to those matters still retained as Reserved Subjects to the Viceroy or Governor-General that the British Parliament would be concerned. All other matters would pass over to the Indian Federal Legislatures. The powers of the Legislatures in these non-reserved subjects would in some cases be subject for the time being to "safeguards" or powers of interference retained in the hands of the Governor-General.

Safeguards

In his speech at the close of the Conference the Prime Minister pointed out to the Indian delegates that if they were drafting their own constitution, without any

outside assistance or consultation, it would be impossible for them to draft such a constitution without embodying safeguards in it. But he went on to say that in such statutory safeguards as might be made for meeting the needs of the transitional period, it would be the primary concern of His Majesty's Government to see that the Reserved powers were so framed and exercised as not to prejudice the advance of India through a new constitution to full responsibility for her own government.

Earlier in the closing Plenary Session Lord Peel had expressed the point of view of the Conservative Party. If the safeguards could be made effective with care and goodwill, and if the practical problems could be met in a workmanlike spirit, as he believed they could, then the Conservative Party would not hesitate to accord their assent to a new constitution merely on the ground that it involved a transfer of new powers and responsibilities to Indians.

Lord Reading, speaking for the Liberal Party, was much more definite. "We have expressed in plain language our definite support of the policy of conferring responsibility at the centre," he said, "provided the safeguards are adequate and the new constitution is workable."

Sir Tej Bahadur Sapru, as an Indian, put the position with regard to safeguards in the following words: "It may be that there are certain safeguards. Frankly, I am not alarmed by these safeguards; and, indeed, when you come to examine them, these safeguards are really intended in the interests of the responsible government that we are establishing at the centre, and not to strengthen the hands of English control over us."

The Princes had asked for half of the representation in the Upper House, and for one-third in the Lower House. It was urged by British Indian delegates that the numbers should be allotted on a population basis.

The Federal Cabinet would be composed partly of members of the Indian States and partly of British Indian representatives. A matter which was not settled was whether on a vote of No Confidence the whole Cabinet would resign, or only the elected Members.

Federal Legislature

The Federal Legislature would deal primarily with federal subjects. Possibly also it might deal with certain central subjects covering only British India. As an instance, the control of Civil and Criminal Law in British India would probably remain centralised at Delhi. In the Indian States each State controls its own Civil and Criminal Law. It was not proposed at present that the rights of the Rulers of the Indian States in this respect should be interfered with. Such a subject, therefore, would be central as far as British India was concerned, but not federal as far as the Indian States were concerned.

One question which was left unsettled was whether representatives of the Indian States, sitting in the Federal Legislature, would have the right to take part when central subjects concerning British India alone were under consideration. The Princes at the Conference did not favour such procedure, as naturally British India might justly claim a reciprocal voice in matters relating to the Indian States—and this the Rulers of the States were not willing to concede.

However, representatives of the Indian States would be included in the Federal Cabinet, and if this Federal Cabinet was to work by means of joint responsibility, it would not be easy to dissociate some of its members from its decisions in such matters.

The Indian Provinces would possess provincial autonomy. To these Provinces was to be added a new one by separating Sind from Bombay Presidency. Although this

had formed part of Bombay Presidency it was a separate entity, both geographically and racially, and there had been agitation for its separation as a distinct Province.

The North-West Frontier Province also, which under the 1919 Reforms was governed directly from Delhi, was to be given responsible government like the other Provinces.

It was also proposed, although not finally decided by the Round Table Conference, that Burma should cease to be a province of India. It would have a constitution of its own as a separate entity in the British Commonwealth of Nations. To work out such a constitution for a separated Burma a special Burma Round Table Conference was to be convened.

Cabinets in the Provinces would be chosen from the largest group in the Provincial Legislature, and acting as a team would be jointly responsible to popularly elected Provincial Legislatures for all functions of government, including Law and Order.

Franchise

With the transfer of complete responsibility in the Provinces there would have to be a general broadening of the franchise. The Conference recommended that an expert Franchise Committee should be appointed to consider in detail the extension of the franchise. It should be instructed that at least ten per cent., and not more than twenty-five per cent., of the adult population were to be immediately enfranchised.

It was further proposed that in addition to the ordinary property qualification the creation of an educational qualification should be considered. The possession of property in India did not necessarily carry with it either education or even literacy. Indeed, even of the small number of persons enfranchised under the 1919 Reforms constitution a large proportion was illiterate;

whereas there were approximately an equal number of literate persons without the property qualification and therefore with no vote.

It was also suggested that the great disparity between the voting strength of women and that of men which had obtained under the 1919 Reforms constitution should be corrected. In supporting a proposal for a special qualification for women electors, the Conference Committee on the Franchise Question laid down the principle that no system of franchise could be considered as satisfactory, or as likely to lead to good government, where such great disparity existed between the voting strength of the two sexes.

The Labour and Depressed Classes representatives at the Conference pressed strongly for adult suffrage as an assurance that in building the new constitution the people would have real power and not merely a change of masters. Whilst adult suffrage was accepted "as the goal which should ultimately be attained," however, administrative difficulties, it was urged, would make impossible a much larger immediate increase than twenty-five per cent. in the total general electorate. At the same time it was suggested that in addition to this increase the Expert Franchise Committee, when it was appointed, should consider the possibility of introducing a scheme (put forward by Lord Zetland) which would amount to an indirect form of adult suffrage. By this interesting scheme all adults not entitled to a direct vote would be grouped together in primary groups of twenty, or some such number, for the election of one representative member from each group. The member so elected would be entitled to vote in the Provincial elections. This scheme would mean the participation, either directly or indirectly, in the election of the Provincial Legislatures of every adult person in India—and so establish the principle of adult suffrage.

Defence

To give effect to the principle that the defence of India must to an increasing extent be the concern of the Indian people, the Defence Committee recommended that immediate steps should be taken to increase substantially the rate of Indianisation in the Indian Army.

A military training college to train candidates for commissions in all arms of the Indian Defence Services should be set up at the earliest possible moment. Indian cadets, however, would continue to be eligible for admission as at present to Sandhurst, Woolwich and Cranwell.

The rate of Indianisation was to be left over for consideration by an expert committee which would work out the details of the establishment of an Indian Military College.

Services

It was fully recognised in the Conference that in the new India the rights and safeguards of the present members of the Services should be maintained. The Services (the Indian Civil Service and Police) would remain on an All-India basis, and those serving at the time of the change over would continue to enjoy the rights, privileges, and pensions to which they had previously been entitled. Future entrance to these Services, however, would be under the control of the Indian Legislature as in the existing Dominions, and not as heretofore in India under the control of the Secretary of State. It was more than likely that the Federal Government would recommend a certain proportion of recruitment to be made in Great Britain. The retention of these Services on an All-India basis would make for unity and solidarity of the India Federation.

Communal Problems

It was recognised by the Conference that in order to secure that co-operation of all communities which was essential to the successful working of responsible government in India, it was necessary that the new constitution should contain provisions designed to assure the various communities that their interests would not be prejudiced. It was also recognised on all sides that it was desirable that an early settlement between the major communities should be reached by voluntary agreement on the question of the proportions of communal representation in the Legislatures. If such an agreement was not reached at the Conference, the differences on this question between Hindus and Muslims and other communities were narrowed down almost to a matter of the allotment of one or two seats in the Punjab Provincial Council and in the new Federal Legislatures.

Having sketched out the main lines of a new constitution for All India the Conference was adjourned to enable the results reached to be examined by opinion in India. It was also hoped that the achievements of the Conference might enable those in India who had refused to co-operate in its work to be brought into its subsequent deliberations.

The Prime Minister in his speech at the closing session of the Conference on January 19th, 1931, after making a statement on behalf of the Government, said: "I hope and I trust and I pray that by our labours together India will come to possess the only thing which she now lacks to give her the status of a Dominion amongst the British Commonwealth of Nations—what she now lacks for that—the responsibilities and the cares, the burdens and the difficulties, but the pride and the honour of responsible self-government."

Karachi session of the Congress due to meet in March. But the forces of reason and goodwill triumphed at Karachi as they had at Delhi. And so when in the summer of 1931 the Round Table discussions were resumed, every section of Indian political opinion was represented.

Congress Represented

Although its size and importance in Indian political life gave it the right to a much larger numerical representation, the Congress preferred to send Mr. Gandhi alone as its sole representative. At the same time among the new members added by the Government to the Second Conference were other Indian leaders who were also members of the Congress. Thus, while Mr. Gandhi was the sole Congress representative proper, the Congress school of thought was also represented by Pundit M. M. Malaviya, Mrs. Sarojini Naidu, and Mr. A. Rangaswami Iyengar, the first two of whom had taken an active part in the Civil Disobedience Movement.

In the personnel of the Second Round Table Conference were also included three representatives of the organised Indian business community, which had declined to participate in the First Conference. A number of other gaps in the British-Indian Delegation were filled, and in the Indian States Delegation the representation of the smaller States was augmented.

Public discussion which had taken place on the scheme which had emerged from the First Round Table Conference confirmed the view that it was in a federation of Provinces and States that a solution of the problem of India's constitutional future was to be found. Some anxiety was shown by a group of the smaller Indian States lest their interests should be swamped in the new federal constitution. There was no difference of opinion, however, on the principle of federation. What differences

there were, either among the Princes or in British India, related merely to the method of approach and to certain details of the proposed scheme.

The Federal Structure Committee of the Conference, under the Chairmanship of Lord Sankey, resumed its deliberations on September 7th, 1931. The Committee opened with a preliminary discussion in which those who had not been present in its earlier deliberations were able to set out their views on the general constitutional question. The work was then taken up at the point at which it had been left when the First Round Table Conference adjourned. Much valuable and necessary progress was made by the Committee in filling in many of the details of the constitution.

British Section

Unfortunately, the instability of the internal political situation in Britain threw its shadow over the work of the whole of the Second Round Table Conference. A General Election in this country took place in the middle of the Conference. It resulted in the return of a Parliament of a completely different political complexion from its predecessor. The Labour strength in the House of Commons was replaced by an overwhelming Conservative majority. This changed situation not unnaturally aroused anxiety and uncertainty in the minds of the Indian delegates.

Minorities

In the interval between the two Conferences no agreement on the communal question had been arrived at between the communities concerned. The Minorities Committee of the Second Round Table Conference met on September 28th but adjourned to allow the informal negotiations which had been initiated to be continued. Despite the endeavours made by the delegates to secure

agreement between the communities concerned, such a voluntary agreement remained elusive. Until the question had been settled the Muslim delegates felt unable to commit themselves on the important questions relating to responsibility at the centre.

Regrettable as was the failure of the communities to reach a voluntary agreement, it did not absolve the Government from its responsibility for finding a solution of the constitutional question. In the absence of a settlement, and in view of the attitude of the Muslim delegates, any final determination at the Conference of the powers and responsibilities of the federal executive was not possible. On the other hand, to allow the Conference to disperse without the delegates having had an opportunity of considering the main questions which it was called to discuss would have been disastrous. Yet it seemed at one point as though the Government might yield to the pressure of some of its reactionary supporters and allow the Conference to come to an end without such a discussion.

Mr. Wedgwood Benn refused to allow the Government to abandon the Conference. Such a course, he protested, would deal a fatal blow to the whole method of conference which, he reminded the Government, was an essential part of the method and manner selected by the preceding and continued as the policy of the present Government. At the eleventh hour the Government responded to the representations made to it against the adoption of a course which would have had such calamitous results.

Safeguards

With the concurrence of the Muslim delegates, the Federal Structure Committee proceeded therefore to discuss the question of the central executive. Reservations and safeguards in regard to defence, external

affairs and finance, and the question of commercial discrimination were all considered. The Muslim delegates chose to withold their views on these matters until a settlement on the communal question had been arrived at. They made it clear in the Committee, however, that no less than the other delegates they were satisfied that any introduction of provincial autonomy unaccompanied by responsibility in the central government would be totally unacceptable to Indian opinion.

The necessity for certain reservations and safeguards at the centre for a transitional period was not questioned by any section of the Indian delegates. It was only in regard to the nature and extent of these reservations and safeguards that differences of opinion existed.

Defence

On the question of Defence, for example, it was strongly advanced by some delegates, including Mr. Gandhi, that if true responsibility was to be conferred it must include the placing of the control of Defence in the hands of an Indian Minister responsible to the legislature, subject to any safeguards that might be shown to be necessary. On the other hand a majority of the delegates accepted the view, agreed to at the First Conference, that the assumption by India of all the powers and responsibilities which had hitherto rested on Parliament could not be made at one step. They agreed that during the period of transition the Governor-General should be responsible for Defence. He would be assisted by a Minister of his own choice. This Minister would be responsible to the Governor-General and not to the legislature. At the same time there would be no diminution of such opportunities as already existed for discussion in the legislature of defence administration. Thus the legislature would continue to be brought into the counsels of the administration in the discussion of

such problems as the carrying out of the policy of Indianisation.

It was also foreseen that there would have to be correlation of the military and civil administration where the two spheres were found to overlap. For this purpose it was suggested that a body should be set up in India analogous to the Committee of Imperial Defence in this country. It was assumed that the functions of the Minister appointed by the Governor-General to take charge of the Defence portfolio would roughly correspond to those of the Secretary of State for War in Britain. The desirability was urged of this portfolio of Defence being held by an Indian, possibly chosen from among the members of the legislature, although responsible solely to the Governor-General.

Other suggestions were that the Minister of Defence, although not answerable to the legislature, should be considered to be a member of the Cabinet, participating in all its discussions, enjoying joint responsibility with them and, in the event of a defeat in the legislature over a question not relating to the Army, should resign with them. He would, however, remain eligible for immediate re-appointment by the Governor-General.

Another suggestion was that the Minister of Defence should primarily be responsible to the Governor-General, but should also, as regards certain aspects of defence, be responsible to the legislature.

It was thought that some of these suggestions contained the germs of possible lines of development, and must be left to the evolution of political usage within the framework of the constitution.

An interesting view put forward was that whilst supply for the defence services should not be subject to the annual vote of the legislature, its agreement should be sought on a basic figure for defence expenditure for a period of, say, five years. At the end of this period this

basic figure would be subject to a joint review by the legislature and the representatives of the Crown. The Governor-General, of course, would have special powers to incur expenditure in case of emergencies. The Conference recommended that this proposal should receive careful consideration.

External Relations

It was also generally agreed that the Minister responsible for External Relations in the new constitution would be responsible to the Governor-General and not to the legislature. But it was made clear that commercial and economic relations would not be regarded as falling within the sphere of this Minister for External Relations. Such matters would be in complete charge of a popular Minister responsible to the Federal Legislature.

Finance

On the question of financial safeguards the discussions in the Conference were useful if only because they brought out clearly the strongly contrasting views of the Indian and British delegates. It was felt by the majority, however, that in the conditions of uncertainty and instability which prevailed in the world at the time of the Conference, no useful practical purpose would be served by pushing these discussions too far.

It was urged from the Indian side that there was no ground for expecting that the responsible Indian Executive and Legislature of the future would be imprudent in the matter of Indian credit. Their view was that nothing further was required to insure financial stability, in addition to the Governor-General's normal powers of veto, beyond the establishment of a Statutory Advisory Council, which would be ch[illegible] with examining and advising the Minister on [illegible] polic[illegible] Council would be so constitut[illegible]

financial opinion of both India and London. It was felt that such a scheme would provide an adequate safeguard pending the creation by the new Federal Legislature of an Indian reserve bank. This view was based on the assumption that an Indian Minister would be in charge of Finance and fully responsible to the legislature. A majority of the delegates, whilst they were prepared to see this suggestion explored more fully, were not prepared to commit themselves to the opinion that alone it would adequately secure the maintenance of confidence in the credit of India.

Commercial Discrimination

On the vexed question of commercial discrimination a surprisingly substantial measure of agreement was reached. This was felt to be only one aspect of a larger question affecting all communities alike. It was agreed that no subject of the Crown ordinarily resident or carrying on trade or business in India should be subjected to any disability or discrimination by reason of his race, descent, religion, or place of birth. It was thought that it should not be beyond the powers of an experienced parliamentary draftsman to devise an adequate formula embodying this principle for incorporation in the statute of the new constitution. The States' representatives expressed their willingness to accept this principle of no discrimination as related to their territories, providing those claiming equal rights under it did not ask for discrimination in their favour in the matter of the jurisdiction of the States.

Membership of Legislature

It was proposed that the Lower House should comprise three hundred Members. Of these a hundred would be representatives of the Indian States. The manner in which their representatives would be selected was left to the judgment of the States. The method of

basic figure would be subject to a joint review by the legislature and the representatives of the Crown. The Governor-General, of course, would have special powers to incur expenditure in case of emergencies. The Conference recommended that this proposal should receive careful consideration.

External Relations

It was also generally agreed that the Minister responsible for External Relations in the new constitution would be responsible to the Governor-General and not to the legislature. But it was made clear that commercial and economic relations would not be regarded as falling within the sphere of this Minister for External Relations. Such matters would be in complete charge of a popular Minister responsible to the Federal Legislature.

Finance

On the question of financial safeguards the discussions in the Conference were useful if only because they brought out clearly the strongly contrasting views of the Indian and British delegates. It was felt by the majority, however, that in the conditions of uncertainty and instability which prevailed in the world at the time of the Conference, no useful practical purpose would be served by pushing these discussions too far.

It was urged from the Indian side that there was no ground for expecting that the responsible Indian Executive and Legislature of the future would be imprudent in the matter of Indian credit. Their view was that nothing further was required to insure financial stability, in addition to the Governor-General's normal powers of veto, beyond the establishment of a Statutory Advisory Council, which would be charged with examining and advising the Minister on monetary policy. This Council would be so constituted as to reflect the best

financial opinion of both India and London. It was felt that such a scheme would provide an adequate safeguard pending the creation by the new Federal Legislature of an Indian reserve bank. This view was based on the assumption that an Indian Minister would be in charge of Finance and fully responsible to the legislature. A majority of the delegates, whilst they were prepared to see this suggestion explored more fully, were not prepared to commit themselves to the opinion that alone it would adequately secure the maintenance of confidence in the credit of India.

Commercial Discrimination

On the vexed question of commercial discrimination a surprisingly substantial measure of agreement was reached. This was felt to be only one aspect of a larger question affecting all communities alike. It was agreed that no subject of the Crown ordinarily resident or carrying on trade or business in India should be subjected to any disability or discrimination by reason of his race, descent, religion, or place of birth. It was thought that it should not be beyond the powers of an experienced parliamentary draftsman to devise an adequate formula embodying this principle for incorporation in the statute of the new constitution. The States' representatives expressed their willingness to accept this principle of no discrimination as related to their territories, providing those claiming equal rights under it did not ask for discrimination in their favour in the matter of the jurisdiction of the States.

Membership of Legislature

It was proposed that the Lower House should comprise three hundred Members. Of these a hundred would be representatives of the Indian States. The manner in which their representatives would be selected was left to the judgment of the States. The method of

direct election was favoured as the best means of selecting the two hundred Members representing British India.

The Upper House of the Federal Legislature was to consist of two hundred Members. Eighty of these would be representatives of the Indian States, the method of selection resting with the individual States. The rest of the Chamber would be composed of British India representatives who would be elected by the Provincial Legislatures.

It was agreed that the Lower House of India's Federal Legislature would be chosen, as far as possible, on the principle of popular election. The Upper House, on the other hand, would be chosen in the main to represent the component units of the federation as such. The inclusion of nominated Members (either non-official or official) in the Lower or popular House was opposed. At the same time the desirability was seen of securing to the Federation the services in the Upper House of " persons of the elder statesmen type with an experience of public affairs both in the political sphere and outside it." Such persons might fail through one reason or another to be elected to the House. Therefore, it was suggested that a small proportion of seats should be reserved in the Upper House for persons to be appointed by the Governor-General, acting on the advice of his Ministers.

Special Interests

The number of seats to be assigned to special interests, such as landlords, commerce and labour, and the question of the qualifications required for candidates for both Houses, were matters for the expert Franchise Committee. Nevertheless, the Federal Structure Committee pointed out that if a high qualification should be decided on, similar to that required for the existing Council of State, it would have to be made subject to such

modifications as might be necessary to prevent the virtual exclusion of Women, Depressed Classes, and Labour.

The relationship between the two Houses was, as far as possible, to be one of equality. Whether this relationship was to be subject to the supremacy of the Lower House concerning Money Bills, as was demanded by almost all the British Indian delegates, was left unsettled.

Another question which was left unsettled was the very important and intricate one of the apportionment of the financial resources and obligations between the federation and the units making up the federation. It was recommended that two Committees should be set up to explore the whole question.

Labour

In the course of the proceedings of the Federal Structure Committee Mr. Joshi, representing Indian Labour, raised an important matter which had an intimate bearing on the improvement of labour conditions in India. Practically all the labour legislation passed in India in recent years has been passed by the Central Legislature. It was on the Central Legislature that the onus fell for ratifying international labour conventions arrived at at Geneva. The view was, therefore, pressed by Mr. Joshi that the proposed Federal Legislature should likewise have power to deal with certain aspects of labour questions, and the ratification of international labour conventions. It was not found possible to report any decision on this question, which was recommended for later consideration.

Federal Court

It was decided that a Federal Court should be set up. The establishment of this court would not affect the present right of appeal from the High Courts in India to the Privy Council in London. In all matters, however,

involving the interpretation of the provisions of the federal constitution, an appeal would lie to the Federal Court, which, save in certain exceptional cases, should be the final court of appeal.

Some were strongly of the opinion that the time had come for the creation of a Supreme Court for British India. Appeals to such a court from the Provincial High Courts would take the place of the present direct appeal to the Privy Council. It was therefore recommended by the Federal Structure Committee that the statute setting up the constitution should prescribe the jurisdiction and functions of an Indian Supreme Court, and that the Federal Legislature should be given the power to adopt these provisions of the statute if and when it should think fit to do so.

Despite the progress made in completing the federal scheme, much work remained to be done. If the Conference had not achieved all that it set out to do, the disaster which would have resulted from its premature disbandment at the bidding of British reactionary opinion was fortunately averted.

The conclusions reached in these discussions, together with those reached in the earlier proceedings of the Federal Structure Committee, were summed up in two Reports which were subsequently approved by the full Conference.

A full Plenary Session of the Conference met on November 28th, 1931, in which the whole field of the work of the Conference was discussed. This Plenary Session was finally brought to a close on December 1st, when a statement was made by the Prime Minister on behalf of the Government.

Conclusions

The discussions, said the Prime Minister, which had been proceeding during the previous two months, had

the Government would come to an independent decision on this question.

The work of settling the outstanding details of the federal constitution was to be continued in consultation with Indian opinion, and before draft legislation was placed before the British Parliament the Conference was to be called again to review the whole completed scheme.

Franchise and Finance

Committees were to be set up to investigate the franchise question and different aspects of the question of federal finance. Further, the Prime Minister announced that the Government intended to appoint in India a kind of working committee of the Conference, to be presided over by the Viceroy, which would be styled the "Consultative Committee."

Chapter XXV

THE BURMA ROUND TABLE CONFERENCE

The Burman People

Burma has only been under the British Crown for something like forty-six years. Before then it was an independent nation under its own kings. The Burmans are an entirely distinct and different people from the Indians, without any of the caste or other differences that separate Indians amongst themselves. Burma was only included under the jurisdiction of the Government of India for convenience in administration.

Government's Declaration

The first India Round Table Conference provisionally accepted the principle of the separation of Burma from India. The Prime Minister in his speech at the closing session of the Conference referred to Burma in reviewing the results of the Conference. In the declaration of the Government's policy which he made at the end of his speech, however, the Prime Minister made no reference to Burma. To clear up the position I put a Special Notice Question to the Secretary of State for India in the House of Commons on the following day. In answer to this it was stated that: "the Government have decided to proceed with the separation of Burma. They wish it to be understood that the prospects of constitutional advance held out to Burma as part of British India will not be prejudiced by this decision, and that the constitutional objective after separation will remain the

progressive realisation of responsible government in Burma as an integral part of the Empire. In pursuance of this decision they intend to take such steps towards the framing, in consultation with the public opinion in Burma, of a new Constitution as may be found most convenient and expeditious, their object being that the new Constitutions for India and Burma shall come into force as near as may be simultaneously."

Personnel

The personnel from Burma included not only U Ba Pe and others who had co-operated with the Government in the Reforms scheme, but also U Chit Hlaing and others who, up to that time, had boycotted the Reforms scheme as being absolutely inadequate and unworkable owing to the diarchical principle.

There were also on the Conference representatives of the Shan Chiefs, Karens, Indians, Chinese, Burma Muslims, Europeans and Anglo-Indians. Although these Minorities represented only about two millions of Burma's population of fourteen and a half millions, their voice in the Conference was out of all proportion to their numerical strength, and the claim which the Minorities (excluding the Shan Chiefs) put forward at the Conference was for a total representation of 49 per cent. of the seats in the Legislature. The question of the means of assuring adequate representation to these Minorities was left eventually by the Conference for subsequent decision. It was agreed that there should be no discrimination against Minorities or existing commercial interests in Burma.

The Problem

The nature of the problem before the Burma Conference differed in one important particular from that before the India Round Table Conference. Burma had

hitherto only been a Province of British India. In the event of the separation of Burma from India not only the provincial, but also the central subjects of government, hitherto administered by the Government of India, would be transferred to the responsibility of the Government in Burma.

The Scheme Outlined

The scheme outlined by the Burma Conference proposed the replacement of the Provincial Council by a new Legislative Assembly or Parliament. This Burman Legislature would consist of two Houses. The Lower House, which would be called the House of Representatives, would consist of from a hundred to a hundred and fifty Members. They would be elected directly from territorial constituencies.

The Upper House, to be called the Senate, would be smaller and would be composed only partly of elected Members, the others being nominated by the Governor. Whether the elected element in the Senate would be elected indirectly through the Lower House or by the method of direct election was left unsettled.

In accordance with the usual constitutional procedure the leader of the largest party in the Legislature would normally be asked by the Governor to form a Government. It was suggested that the Ministry should not consist of more than eight Ministers, including the Prime Minister. They would be appointed by the Governor and would be collectively responsible to the Legislature for all subjects of government except in certain matters of government which would for the present be reserved to the Governor.

Reserved Powers

Among the subjects to be reserved to the responsibility of the Governor were Defence, External Affairs,

Excluded Areas, and Monetary Policy. This would not mean, however, that no opportunity would be given to the Legislature to express their views on these subjects. It was proposed that Officials should be allowed to attend the Legislature to explain the policy as regards Reserved subjects—although these Officials would have no vote.

Although Defence would be a Reserved subject it was recognised, as it had been by the India Conference with respect to India, that defence questions must be of increasing concern to the people in Burma. The development of Burman military forces was favoured.

In addition to his powers in respect of the Reserved subjects, the Governor would have power of intervention in other subjects of government—which he could exercise if he considered it necessary in order to safeguard certain specified interests.

There would be no sex disqualification for membership of either House of the Legislature, although there would be a minimum age limit of thirty-five for membership of the Upper House. In regard to the franchise of the Lower House a number of delegates were in favour of the immediate introduction of adult suffrage. But, although an extension of the existing franchise was agreed to, no definite decision was taken in the matter.

Prime Minister's Statement

The Conference was brought to an end on January 12th, 1932, with a statement from the Prime Minister. In this statement the agreement of the Government to the general lines of the constitution defined in the Report was announced.

In the event of Burma deciding in favour of separation from India, it was the Government's intention that responsibility should immediately be placed upon the Burman Legislature. But in order that the stability of

Burma might be maintained, and to ensure financial security, the Governor would have certain special powers. At the same time it was stated to be " the endeavour of His Majesty's Government to ensure that these powers shall not be allowed to prejudice the advance of Burma to full self-government. . . . Given goodwill in working the new constitution the occasions on which they would be called into effect should be rare."

The final decision had yet to be taken by Burma as to whether or not she wished to be separated from India. It was announced that the General Election, which was to be held in Burma before the close of the year, would be *fought on this issue.*

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Chapter XXVI

HINDU-MUSLIM DIFFERENCES

Montagu-Chelmsford Reforms Increased Difficulties

No single argument against the possibility of giving self-government to India has been urged in this country more than the communal one—the alleged impossibility of Hindus and Mussalmans being able and willing to work together amicably. Many of us pointed out at the time of the Montagu-Chelmsford Report,[1] and later at the sittings of the Joint Committee of both Houses of Parliament, that communal electorates were bound to intensify communal feeling and increase bitterness in political life, with Mussalmans allowed to vote only for Mussalmans and non-Mussalmans only for non-Mussalmans.

How true was this prophecy was borne out by the Official Report of the Government of India for 1926-7.[2] In this Report it was admitted that "it can hardly be denied that the Reforms of 1919, by forcing Mussalmans and Hindus to take thought of their respective positions under a fully responsible government of a democratic type, with its tremendously powerful central doctrine of government by majority, have reinforced traditional enmities."

And again: "The reformed constitution of India, which, by bringing the rival communities face to face

[1] Cmd. 9109 1918.

[2] *Moral and Material Progress during the Year 1926-7*, p. 19.

with the hard realities of modern democratic government and its institutions, has helped to widen the scope of the old communal enmity and increase its intensity."[1]

One has only to think of how impossible, how bitter and how riotous, parliamentary elections would be in Ireland, or even in Liverpool or Cardiff, if they were fought on religious lines—Roman Catholics and Protestants being allowed to vote only for members of their own particular persuasion—to realise what communal electorates must mean in India. By having a common electorate in India, the contest would be removed from religious to secular lines.

Sir Sivaswamy Aiyer puts the matter well in his book: "The evils that flow from the recognition and encouragement of communal claims are far too serious and patent to require any elaborate argument to convince any unprejudiced outsider. One obvious evil is that any concession to the claims of one community encourages similar claims by the members of numerous other communities. The communal representation granted to Mussalmans led to similar demands by the Sikhs, by Europeans, Anglo-Indians and Indian Christians. . . . The necessary result of every concession to a communal claim is that it makes it logically difficult to resist similar claims by others."[2]

Contradictory Grounds of Claims

It is interesting to note the varied and contradictory grounds on which the minorities in India have based their claims to separate communal electorates. Some communities base their demands on the political, educational or economic backwardness of their community. Others claim privileged treatment on the ground of their political importance or superior economic

[1] *Moral and Material Progress during the Year 1926-7*, p. 21.

[2] *Indian Constitutional Problems*, by Sir Sivaswamy Aiyer, K.C.S.I., C.I.E., pp. 86, 87.

should be made into a separate Province, and that the North-West Frontier Province and Baluchistan should be placed on the same footing as the other Provinces. They were also agreed that in the Central Legislature Muslim representation should be not less than one-third of the total, and that Muslim representation in the Central and Provincial Cabinets should be assured. They claimed that in any constitutional change provision should be made for giving Muslims an adequate share along with other Indians in all the services of State, and that there should be adequate safeguards for the protection of Muslim religion, culture and personal law. Lastly, it was considered insufficient that the guarantee of a definite percentage of seats for Muslims in the Provincial Legislatures should be confined to those Provinces where they constituted a minority of the population. They claimed that even in the two Provinces where they were a majority—in the Punjab and Bengal —there should be guaranteed to them a percentage of seats on a population basis.

This last demand formed the chief subject at issue between the Muslim and the other communities in the discussions which followed the publication in 1929 of the All-Parties Report. In an earlier chapter we saw that this Report went a considerable way in accommodating the Muslim claims. None the less its proposals were not regarded as sufficiently satisfactory by the chief Muslim communal organisations. The Report allowed reservation of seats for Muslims in those Provinces in which they were in a minority, but made no provision for such reservation in the Punjab and Bengal, where they were in a majority.

Difficulties

In the Punjab it is not the Muslims but the Hindus and Sikhs who are in a minority, and in Bengal it is the

position, on their loyalty and services during the war and their potential value for recruitment to the Army. Further, the claims put forward by a particular community have not always been based on the same grounds. The Muslim community to-day, for example, urges its claim to special consideration on the grounds of its numerical inferiority as compared with the Hindu majority. When the Muslims made their original claim for separate electorates in 1906, on the contrary, it was the great size of their community that was emphasised.

As Sir Sivaswamy Aiyer pointed out: "The inevitable result of according representation to communities and classes as such must be the perpetuation of existing class divisions and antagonisms, and the maintenance of a narrow communal outlook opposed to that regard for the welfare of the whole country which is essential to a spirit of true citizenship and proper performance of their duties by the members of the Legislature."[1]

Muslim Views

Some important Muslim leaders from the beginning have been opposed to separate electorates. In their view it was in the interests of the Muslim community, no less than that of India as a whole, that Muslims should be allowed to vote in joint electorates with Hindus and members of other communities. For a time, however, they considered that this system of joint electorates should be subject to the reservation of a minimum number of seats for Muslims to ensure their adequate representation through joint electorates. The conservative Muslim leaders, on the other hand, regarded separate electorates as a privilege which should not be given up.

While there were two views among Muslims on this question of the nature of the electorates, there was unanimity on all other points. They desired that Sind

[1] *Indian Constitutional Problems*, by Sir Sivaswamy Aiyer.

should be made into a separate Province, and that the North-West Frontier Province and Baluchistan should be placed on the same footing as the other Provinces. They were also agreed that in the Central Legislature Muslim representation should be not less than one-third of the total, and that Muslim representation in the Central and Provincial Cabinets should be assured. They claimed that in any constitutional change provision should be made for giving Muslims an adequate share along with other Indians in all the services of State, and that there should be adequate safeguards for the protection of Muslim religion, culture and personal law. Lastly, it was considered insufficient that the guarantee of a definite percentage of seats for Muslims in the Provincial Legislatures should be confined to those Provinces where they constituted a minority of the population. They claimed that even in the two Provinces where they were a majority—in the Punjab and Bengal—there should be guaranteed to them a percentage of seats on a population basis.

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Difficulties

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expense of the principle which the Muslims claimed for themselves in all the other Provinces. In these other Provinces, where they are in a minority, they have representation in the Legislature in excess of that warranted by their population ratio. For example, in Bombay, where Muslims are only 19·8 per cent. of the population, they have 25·4 per cent. of the elected seats in the Legislature, and in Bihar and Orissa, where they are 18·5 of the population, they have 25·3 per cent. of the seats. If the non-Muslim minorities in the Punjab and Bengal were to have the weightage which the Muslims enjoyed in the Provinces where they were in a minority, it was difficult to see how this could be reconciled with the Muslim demand for a statutory majority in these two Provinces.

It was this problem which presented the chief stumbling block in the way of a settlement of the communal question. Although a further attempt to find a settlement of this question was made during the Second Round Table Conference, it was realised that it was a matter which could best be adjusted by means of arbitration.

Government's Conclusion

The representatives of all communities concerned expressed their readiness to accept arbitration, and invited the Prime Minister to act as arbitrator. The Government, however, preferred to leave the way still open for a voluntary settlement between the communities by means of negotiation. At the same time, in his speech at the close of the Conference, the Prime Minister pointed out that time was pressing: "We shall soon find that our endeavours to proceed with our plans are held up (indeed they have been held up already) if you cannot present us with a settlement acceptable to all parties as the foundations upon which to build. In that event His Majesty's Government would be compelled to apply a

provisional scheme, for they are determined that even this disability shall not be permitted to be a bar to progress."

In March 1932, in the absence of a settlement by negotiation, and in view of the restive attitude shown by the Muslim Conference at Delhi, the Government reiterated its intention of applying a provisional settlement. In these circumstances it was announced that the Government were engaged in " a careful re-examination of the difficult and controversial questions which arise," and that it was " their firm intention that there should be no avoidable delay."

Indian States

It is interesting to note that the same troubles in regard to communal matters have not arisen to any extent in the Indian States. Not even in a State such as Hyderabad, where a Muslim rules over a population of 14,437,541, some 85 per cent. of whom are Hindu. Until the communal virus spread recently from British India, the same might have been said of Kashmir, where a Hindu rules over a population of 3,646,244, some 76 per cent. of whom are Muslims.

An interesting example of Hindu-Muslim accord in the Indian States is provided by a recent incident in Jhalawar.[1] There the Muslim subjects, in the course of an address to the Ruler on the occasion of the Muslim festival of Id, presented a purse contributed from the poorest to the highest of the Muslims of the State, with a request that this humble token of their good will might be spent on any item of utility for their Hindu brethren. In Jhalawar State the religious festivals of the different communities have been nationalised, and recently the Muslim festival of Id was celebrated by Hindus and Muslims alike.

[1] Reported in the *Times of India*, February 10th, 1932.

The existence of separate electorates and the presence of an alien Government, in whose power it is to bestow boons and privileges, have undoubtedly encouraged communal claims and the exploitation of sectional differences. It is a mistake, therefore, to attach undue significance to the communal question. If the harmonious co-operation of the minority communities in the working of the new constitution is to be secured, it is necessary that their claims should be met as far as possible. But the real solution of the communal question will only be found when the communities—majority and minority—learn to identify their interests with the interests of India as a whole. This approach to the question, it is encouraging to note, already exists among the younger generation in India.

Chapter XXVII

THE ARMY IN INDIA

Our Army Policy

Unless and until a country is able to undertake the responsibility for its own defence, self-government must to a certain extent remain illusory. It is because Indians have been acutely conscious of this that they have for so many years criticised bitterly our Army policy in India.

The India we found when we went there was certainly not lacking in military prowess. The history of the gradual and difficult conquest of India surely yields ample testimony to the martial qualities of its people, whether in the South or in the far North, in Bengal in the East or Bombay in the West.

But to-day Indians are reduced to a position in which they are dependent on a British controlled and officered Army.

If the Indian Army is to-day little more than a fighting machine, dependent for its direction on British officers, it is not because there is anything lacking in the character of the Indian people. It is because British policy has forced this character on the Army—in order to make it a safe machine to be used to maintain an alien supremacy.

Kaye, the historian, writes[1]: "The founders of the native Army had conceived the idea of a force recruited from amongst the people of the country and commanded for the most part by men of their own race, but of higher

[1] Kaye and Malleson, *History of the Indian Mutiny*, Vol. 1, pp. 153-4.

social position—men, in a word, of the master class, accustomed to exact obedience from their inferiors. But it was the inevitable tendency of our increasing power in India to oust the native functionary from his seat, or lift him from his saddle, that the white man might fix himself there."

He goes on: "So it happened, in due course, that the native officers, who had exercised real authority in their battalions, who had enjoyed opportunities of personal distinction, who had felt an honourable pride in their position, were pushed aside by an incursion of English gentlemen, who took all substantive power into their hands, and left scarcely more than a shadow of rank to the men whom they had supplanted. An English subaltern was appointed to every company, and the native officer then began to collapse into something little better than name."

And he continues: "As the degradation of the native officer was thus accomplished, the whole character of the Sepoy Army was changed. It ceased to be a profession in which men of high position, accustomed to command, might satisfy the aspirations and expand the energies of their lives. Thenceforth, therefore, we dug out the materials of our Army from the lower strata of society, and the gentry of the land, seeking military service, carried their ambitions beyond the red line of the British Frontier and offered their swords to the Princes of the Native States."

Fear and Distrust

Even so, until 1857, the Indian troops were organised in companies under Indian officers. These officers as well as the troops were drawn from all parts of the Peninsula. There was no separation along the lines of class and community. All were mixed up "so that each and all lost to some extent their racial prejudices and

became inspired with one common sentiment."[1] The pre-Mutiny Army was a unifying and consolidating force. But after the Mutiny came a reorganisation inspired by a spirit of fear and distrust—a spirit which ever since has inspired and determined our Indian Army policy.

Post-Mutiny Changes

It was the opinion of the British military and civil authorities that this principle of recruitment and organisation constituted too great a danger to the safety of the British Power in India to be permitted to continue. Giving evidence before the Peel Commission in 1859, Major-General Mansfield, Chief of the General Staff in India, outlined a change.

" There may be low caste corps and Mussalman corps. Other regiments may be formed of companies of different castes, and in all these should probably be a company or two of Mussalmans. Uniformity in these respects is neither desirable nor advisable. The more diversity that can be introduced into the constitution of the different corps the better, so that in case of any future combination the heterogeneous character of the various regiments may present an effective bar to it."[2]

Indian Genius for Artillery

British policy purposely excluded Indians from the scientific branches of the Army in general, and from the artillery in particular. The reason for this also is to be found in Mutiny psychology. Lord Ellenborough, who had been Governor-General of India, told the Peel Commission[3]: " It appears to be the concurrent opinion

[1] *The Armies of India*, by MacMunn and Lovett.

[2] *Report of Peel Commission appointed to Inquire into the Organization of the Indian Army.* Appendix, p. 100 (1859).

[3] *Ibid.*, pp. 6-7.

of all men that we should keep the artillery wholly in our own hands. The natives have a genius for casting and working guns, and we should not afford them means of indulging in it . . . The natives die at their guns. Their practice in this war (the Mutiny) is allowed to have been at least as good as our own."

The Governor of Bombay, Lord Elphinstone, was no less emphatic in his evidence[1]: "I agree," he said, "with those who think it is injudicious to train any natives of India to the use of guns. They make excellent artillerymen, and they attach great value and importance to guns, but *these very circumstances make it dangerous to place them in their hands*." (Italics mine.)

Here the attitude of the British authorities on the one hand, and the ability of the Indians on the other, are very apparent. It was not because they were unfitted for the scientific branches of the Army that Indians were excluded. It was for the very opposite reason.

British and Indian Troops

The Army in India to-day consists of two parts. There are, in the first place, the troops sent out from this country, and in the second place the Indian Army proper. About one-third of the total strength is from the British Army in this country.

We usually have on duty in India, sent out from Great Britain, some thirty or forty battalions of Infantry, besides Cavalry, Artillery, and Air Force.

All of these are kept perpetually on a war footing. The actual strength of course varies from time to time. But according to an answer given in the House of Commons on November 23rd, 1931,[2] the strength of the British Army in India at that date was: Infantry, 40,958;

[1] *Report of Peel Commission appointed to Inquire into the Organization of the Indian Army*. Appendix, p. 145.

[2] *Hansard*, Vol. 260, No. 13, Col. 5.

Enlistment in the Indian Army is voluntary, and is confined to a few so-called martial races and to the Gurkhas (who come from Nepal, outside of India). The strength of the Indian Army, as given in an answer in the House of Commons on March 14th, 1932,[1] is 124,300, composed of: Infantry, 89,827; Cavalry, 10,780; Sappers and Miners, 7,409; Artillery, 6,772; Pioneers, 5,935; and Signals, 3,577.

The overwhelming majority of its officers, holding King's Commissions, are sent out from England. This also has been our policy ever since the Mutiny. Some, but very few, King's Commissions in the Cavalry and Infantry have been given to Indians. But so far, practically all Indian officers are in the junior ranks only. It is true that Indians have been given Viceroy's Commissions. But the most senior of these is junior to, and bound to salute, the latest joined British subaltern.

No Indian, until January 28th, 1932,[2] had held the King's Commission in the Royal Engineers, the Royal Artillery, or in any of the specialised branches of the Army.

Only one Indian is eligible per year for commissioned rank in the so-called Indian Navy.

Changes After Great War

As the result of India's great services in the catastrophe which broke over the world in 1914, there came some change in our Indian army policy. A beginning was made with the Indianisation of the commissioned ranks. But so narrowly was the door opened that the change was more a change of principle than a practical one. All that was offered was ten vacancies a year at Sandhurst for Indian cadets who, if they passed out successfully, would be eligible for King's Commissions in the Indian Army.

[1] *Hansard*, Vol. 263, No. 57, Col. 33.

[2] See p. 243.

Even so, no sooner had the officer ranks of the Indian Army been reopened to Indians than a scheme known as the Eight Units Scheme was introduced, which deprived the change of most of its virtue. By this scheme Indian officers holding the King's Commission were to be posted only to the eight units of cavalry and infantry which were specially set aside for that purpose. No more European junior officers were to be posted to these units.

Segregation of Indian Officers

India immediately objected to this arrangement. It amounted to segregation of the Indian officers, and it was realised that the real motive underlying its introduction was to ensure that no European would have to serve under an Indian superior officer.

British army authorities deny this. They say that the scheme was introduced as a means of "proving that units officered by Indians will be efficient in every way." But India would be more ready to accept this explanation had not Lord Rawlinson, whose words I have just quoted, before being appointed as Commander-in-Chief in India, written the following observations: "People here are frightened of this talk of Indianisation, and old officers say they won't send their sons out to serve under natives. I agree that the new system must be allowed to take its course, but it will want very careful watching and cannot be hurried. The only way to begin is to have certain regiments with native officers only. . . . If it is rushed, the supply of British officers will dry up long before India is in any degree ready to do without them. To my mind the only solution is to begin by making some cavalry and infantry regiments wholly Indian. This will avoid the difficulty of making white officers serve under Indian officers, and will enable us to test the effect of the change."[1]

[1] *The Life of Lord Rawlinson of Trent*, by Major-General Sir Frederick Maurice, pp. 284-6.

These words of Lord Rawlinson leave no doubt as to the motives underlying the so-called Eight Units Scheme.

A year or two ago, when in India, I had a lengthy discussion on the problem of Indian self-government with the Governor of an Indian Province at his Government House. The chief obstacle he saw was the difficulty of India's defence. He maintained that as India had to rely on Great Britain for her defence, she could not have self-government. I pointed out to him that such an argument would cut right across the Royal Declaration of ultimate Dominion Status. Also, we had consistently refused to allow Indians to take the share they rightfully demand in their country's defence, and had allowed them to become "enervated by long years of the skin-deep civilisation of British India."

A Mercenary Army

His Excellency's next point was that if India got real self-government, the British Army in India would be under the control of Indians, that it would be "only a mercenary army"—an unthinkable proposition to his mind. But, I asked, when was it ever anything else in India? Not one penny-piece of the expenses of the British Army in India falls on the British estimates. India has to foot the whole bill, and the Indian Legislative Assembly has no power to vote in the matter. No British Dominion, on attaining Dominion Status, has been asked to undertake her own defence, nor even to pay, as India has paid, the whole cost of the British troops.

In the Delhi Club one evening a British Cavalry Officer told me that he, his father, and his grandfather had all served in India, but that no son of his would so serve in future, as it was likely that Indians would get King's Commissions and "no white man could serve under an Indian."

June 1925 and was known as the Indian Sandhurst Committee.

It was presided over by no less a person than Lieut.-General Sir Andrew Skeen, Chief of the Indian General Staff, whilst Mr. M. A. Jinnah, leader of the Independent Party in the Assembly, was amongst its distinguished Indian members. It took evidence not only in India, but in Europe and America also. As in the case of the Territorial and Auxiliary Forces Committee, it also managed, by a series of compromises, to present a unanimous Report. The Report appeared in 1927.

The Committee recommended an immediate extension of the scope of employment of Indians in the officer ranks. In 1928, the year following the Report, it recommended an initial doubling of the ten vacancies a year—which was all that had previously been offered to Indians at Sandhurst. It proposed that this should be followed by progressive increases until, in 1933, a Military College on the lines of Sandhurst should be established in India. According to the scheme recommended by the Committee, the total cadre of officers in the Indian Army would be Indian by 1952.

It seemed at first that this compromise unanimous Report would be pigeon-holed like its predecessor by the Government of India. All that the Government agreed to do was to increase the number of vacancies at Sandhurst from ten to twenty a year, and to admit Indians in future to the commissioned ranks of the Artillery, Engineer, Signal, Tank and Air arms.

The official excuse was that there was no proof that Indians would be forthcoming in sufficient numbers to warrant providing for a more rapid Indianisation. As a matter of fact, however, this argument had already been answered by the Committee. The Committee had pointed out that " the most substantial reason for the dearth of candidates, and one which we believe, after

very careful consideration, to be the governing factor in regard to future policy, is the extremely narrow scope of the scheme for Indianisation of the higher ranks which has so far been sanctioned."

The proposal for an Indian Military Training College, it is encouraging to note, has come to the fore at the moment of writing. In the House of Commons, on February 8th, 1932, it was stated by the Secretary of State that it was intended to open a Military Training College for Indian Commissioned Officers in the autumn of this year (1932) and to hold the first entrance examination in July 1932.

If the Government can make this a success, it will remove one of India's most serious grievances.

Apropos of the official contention, mentioned above, that Indians would not be forthcoming in sufficient numbers to justify a more rapid Indianisation, a most illuminating "pointer" has just been reported from India. The *Times* Indian correspondent, writing from Delhi on March 1st, 1932, states that "more than 800 applications have been received for entry forms for the first competitive examination for the Indian Sandhurst which is to be held in July. Although probably only a certain proportion of these will be followed up, it seems certain that the list of actual candidates will be much larger than was expected. . . ."

A Test of Sincerity

India places the greatest importance on this question of the Indianisation of the Army and regards it as a test of the sincerity of our declared intentions as to her political progress. If we have no other desire than to assist India as rapidly as possible to become mistress in her own house, and consequently to control her defensive forces, why, Indians ask, have we delayed every movement designed to surmount one of the chief obstacles,

namely, the absence of Indians from positions of command in their own army? If the Indian Army is to become an Indian " national " army in any measurable distance of time, the pace of Indianisation will have to be vastly quicker than it is to-day.

How utterly inadequate is the present Indianisation policy pursued by the Government of India is shown by the answers to questions given in the House of Commons.

I asked the Secretary of State, in the House of Commons on September 28th, 1931,[1] how many Indians held Commissions in the Cavalry and how many in the Infantry of the Indian Army. His answer was that up to March 1931 the numbers were 26 in the Cavalry and 70 in the Infantry, excluding officers serving with the Political Department who might be borne on the strength of cavalry or infantry units—and that out of a total of 3,114! The actual figures were: Brevet Major 1; Captains 39; Lieutenants 54; Second Lieutenants 14.

In answer to another question which I put in the House of Commons on the same day,[2] inquiring how many Indians held Commissions in the Air Force, Royal Artillery, Royal Engineers and other branches of the military forces than the cavalry and infantry of the Indian Army, the Secretary of State for India answered that: " The Indian Air Force has not yet been constituted, though Indian cadets are now under training at Cranwell with a view to qualifying for Commissions in that Force. Indian cadets are similarly under training at Woolwich for branches of the Army other than cavalry and infantry, but the first batch is not due to pass out until January next (1932)."

This was followed up by other questions in the House of Commons on February 8th, 1932,[3] when the Secretary

[1] *Hansard*, Vol. 257, Col. 41.
[2] *Hansard*, Vol. 257, Col. 41.
[3] *Hansard*, Vol. 261, No. 33, Col. 466.

of State said it was hoped that the first unit of the Indian Air Force would be inaugurated in March 1933. Ten Indian cadets were at that date under training with a view to qualifying for Commissions in that Force.

The Secretary of State gave the further information that Indian cadets were in training at the Royal Military Academy, Woolwich, with a view to their being commissioned in the Indian Artillery, the Sappers and Miners of the Indian Army, and the Indian Signal Corps. Seven cadets were then at Woolwich. Two had recently passed out of the Academy, and were duly commissioned on January 28th, 1932. These are the first Indian officers to have been given King's Commissions outside the Cavalry and Infantry.

Indian Summing Up

The problem has recently been summed up by Sir P. S. Sivaswamy Aiyer, an accepted authority on Indian Army questions, and Major-General Rajwade of Gwalior State,[1] who write: " Indians are quite alive to the necessity for maintaining the efficiency of the Army and to the importance of not imperilling the safety of India. They are, however, naturally anxious to assume responsibility for the control of the Army within a reasonable period. What then is a reasonable period for the Indianisation of the officer ranks ?

" It has been pointed out that even if British recruitment to the officer ranks stopped to-day, it would take thirty-five years for the Army to be completely Indianised. The Committee of 1922, which was appointed by Lord Rawlinson, first recommended a period of forty-two years, but on further consideration submitted the shorter period of thirty years which was unanimously

[1] Report of the Indian Military College Committee set up by sub-committee No. VII (Defence) of the Indian Round Table Conference, July 1931, p. 75 *et seq.*

accepted by the Government of India as then constituted, including Lord Rawlinson and the Viceroy, Lord Reading.

" The refusal of the military authorities and the British Government to commit themselves to any indication of the probable date of Indianisation, subject to the necessary conditions of efficiency and the availability of suitable candidates, is one which it is impossible for Indians to appreciate. They refuse to contemplate the contingency of India proving unequal to the task of defending herself within a reasonable period. That the country is now unable to defend itself, no one is concerned to deny. But we believe that, if the policy of Indianisation were started in right earnest and carried out on sound national lines, it should be possible for us to train ourselves and undertake the responsibility for defence within a period of something like thirty years."

With these observations no one can disagree.

Chapter XXVIII

THE SECRETARY OF STATE FOR INDIA

Unique Position

The Secretary of State for India occupies a position under the Government of India Act that is in striking contrast to that of the Secretary of State for the Dominions in regard to the administration of the self-governing Dominions. The outstanding fact to be noted in this connection is that whilst the Secretary of State for the Dominions has no statutory recognition in the Acts giving self-government to the various Dominions, the Government of India Act confers extensive powers upon the Secretary of State and upon the Secretary of State in Council.

Government's Declared Policy

It is true that the pronouncement of the Cabinet on August 20th, 1917, declaring the policy of His Majesty's Government to be "the increasing association of Indians in every branch of the administration, and the gradual development of self-governing institutions, with a view to the progressive realisation of responsible government in British India, as an integral part of the Empire," was incorporated in the Preamble to the Government of India Act of 1919. Certain amendments were also introduced in the Act with the object of giving some effect to the declared intentions of the Cabinet.

Salary Placed on British Estimates

Section 11 (3) of the Government of India Act, 1919, places the salary of the Secretary of State on the British Estimates. The salaries of his Under-Secretaries, however, and the other expenses of his Department may be paid either out of the revenues of India or out of the funds provided by Parliament. This was an amendment of the previously existing state of affairs, made as a concession to Indian political sentiment. It was believed and argued that by this means interest in Indian affairs would be stimulated in Parliament and the discussion of Indian affairs would have a greater measure of reality than before.

Power at Present

It must be borne in mind at the outset that under Section 11 of the Act the Secretary of State has and performs "all such or the like powers and duties" relating to the Government or the revenues of India; and has "all such or the like powers" over all officers appointed or continued under this Act. He has general powers of superintendence, direction and control over all acts, operations and concerns which relate to the Government or the revenues of India. In other words, his power over the administration and finance of the Government of India is complete, subject to the provisions of the Act or the rules made thereunder. From the purely constitutional point of view, he is the agent of Parliament with plenary powers over the administration and the revenues of India.

Legal and Constitutional Position

Reference must also be made to Section 33 of the Act in which the Governor-General in Council is required to pay due obedience to such orders as he may receive

from the Secretary of State in regard to both the civil and military government of India.

Sections 2 and 33, therefore, describe with completeness the legal and constitutional position of the Secretary of State.

Powers Vested in the Crown

Moreover, there are certain powers vested in the Crown for the administration of India that must be presumed to be exercised on the advice of the Secretary of State. Under this category must come the appointment of the Governor-General (Section 34) of members of the Governor-General's Executive Council (Section 36), of Governors of Provinces (Section 46), of members of Governors' Executive Councils (Section 47), of Lieutenant-Governors (Section 34), of the Public Services Commission (Section 96*c*), of the Auditor-General in India (Section 96*d*), of Chief Justices, Judges and Advocates-General of High Courts (Cap. ix), and of the Bishops of Calcutta, Madras and Bombay (Section 118).

Not Consistent with Approach to Dominion Status

The prerogative of the Crown to appoint a Governor-General or a Governor cannot be affected by any development of the constitution. But it is obvious, however, that the other powers of the Crown cannot be justified consistently with India's approach to Dominion Status, and will certainly be out of place in a statute conferring that status upon her.

Control over Questions of Policy

Again, the Secretary of State exercises control over the administration of India in several ways. Apart from his control over legislation, for which there are special provisions in the Government of India Act, ordinary

matters of administration involving questions of policy are referred to him by despatches and cablegrams.

Governor-General May Over-Ride His Council

Under Section 41, if the Governor-General is of opinion that any measure affecting the safety, tranquillity or interests of British India, proposed before the Governor-General in Council, should be adopted, or should be suspended or rejected, and the majority of those present at the meeting of the Council dissent from that opinion, the Governor-General may, on his own authority and responsibility, adopt, suspend or reject the measure in whole or in part. Any two members of the Council may then, however, insist upon the matter being reported to the Secretary of State.

Limitation of Governor-General's Powers

Under Section 44, the Governor-General in Council, subject to certain conditions, may not, without the express orders of the Secretary of State in Council, make war or treaty; and in the event of commencing hostilities, or making any treaty, he must communicate the same, with the reasons therefor, to the Secretary of State.

Control Over Central and Provincial Governments

Section 45 deals with the classification of Provincial and Central subjects; with the transfer, from amongst Provincial subjects, of subjects to the administration of the Governor acting with the Ministers; and with the allocation of revenues or monies for the purpose of such administration. It authorises the power of making rules for the devolution of authority to Provincial Governments and for the employment of Provincial Governments by the Central Government as its agents, and for the determination of the financial conditions of such agency.

Rules may be made under this Section (*a*) for fixing the contributions payable to the Central Government by Provincial Governments; (*b*) for the constitution of a Finance Department in any Province, and the regulation of the functions of that Department ; (*c*) for regulating the exercise of the authority of Provincial Governments over the Public Services; (*d*) for the settlement of doubts arising as to whether any matter does or does not relate to a Provincial subject, or to a Transferred subject in the Province; (*e*) for the treatment of matters which affect both Transferred and Reserved subjects.

The important point to bear in mind is that these rules are subject to the proviso that they cannot authorise the revocation or suspension of the transfer of any subject except with the sanction of the Secretary of State in Council.

Section 45*a* (3) provides a limitation on the powers of superintendence, direction or control, exercised by the Governor in Council over Local Governments.

Influence over Transferred Departments

The relation of the Government of India to the Provincial Governments and the working of the system of diarchy depends on the rules framed under Section 45*a* and other sections. The Secretary of State has a large share in the final shaping and determination of these Rules, and although his control over the working of the Transferred departments is much less than in the Reserved departments of the Provinces, the extent of his influence indirectly exercised is considerable.

Transferred Departments Hampered

It would be a great mistake to suppose that the measure of freedom enjoyed by Ministers in regard to Transferred subjects is very large. Hitherto, or to be more accurate until a few years ago, they found their

position difficult, owing to the scarcity of funds at their disposal. Besides, it is extremely difficult to divide a government into watertight compartments. In actual administration the Transferred subjects come into contact with the Reserved subjects at so many points that it is difficult to administer them satisfactorily or efficiently without there being the completest goodwill and co-operation between the two halves of the Government. In point of fact it is difficult to postulate this state of things in many Provinces.

A Succinct Summary

The position was very succinctly stated by the Government of the United Provinces in the Memorandum it submitted to the Reforms Enquiry Committee appointed by the Government of India in 1924. It observed: "Every Government, which is not a military autocracy, must be responsible to some authority, whether that authority be the people as a whole or some dominant class or section. The Governor in Council is responsible at present to Parliament, and the control of Parliament is enforced by the Secretary of State and the Government of India, who are the agents of Parliament. As already shown, the influence of the Legislature on the administration of the Reserved subjects is very substantial; but influence, however far it may extend, is not control: control rests ultimately with Parliament; and the Governor is armed with powers which enable him, in the last resort, to give effect to its wishes. In so far as the Secretary of State and the Government of India were divested of the authority now exercised by them, this would cease to be the position; and to that extent the

in Council would be responsible only to his conscience. In practice, however, his authority would be completely undermined; for to the wishes of the Legislature he could oppose only his own personal opinion. A new situation of this kind could have only one outcome; the control now wielded by Parliament would pass to the local Legislature. But this control would have no legal sanction; and the Council would have no clearly defined responsibility. It may, or may not, be desirable that wider powers should be conferred on the Legislative Council, but this particular method has all the disadvantages and none of the advantages of a formal transfer."

Control over Finance

Even in the Transferred departments, which in India have been called nation-building departments, the powers of the Ministers are seriously restricted in regard to finance. Finance is a Reserved subject in the hands of a member of the Executive Council not responsible to the Legislative Council. Great dissatisfaction was expressed by several of the Ministers with this arrangement in their evidence before the Reforms Enquiry Committee of 1924. Rule 27 of the Devolution Rules lays down the powers of sanctioning expenditure in the Transferred departments: (1) the Local Government of a Governor's Province shall not, without the previous sanction of the Secretary of State in Council, or of the Governor-General in Council, as the case may be, include any proposal for expenditure on a Transferred subject in a demand for a grant, if such sanction is required by the provisions of Schedule III to these Rules; (2) subject to the provisions of sub-rule (1), the Local Government of a Governor's Province shall have power to sanction expenditure of any grant voted by the Legislative Council; (3) the Local Government of a Governor's Province shall have power to sanction any expenditure

on Transferred subjects which relates to the heads enumerated in Section 72*d* (3) of the Act, subject to the approval of the Secretary of State in Council or of the Governor-General in Council, if such approval is required by any rule for the time being in force.

How Control is Exercised

The right of proposal, either for an increase or decrease in taxation, does not belong to the Ministers. Although the statute does not debar a Minister from being in charge of the Finance Department, this vitally important change has been introduced by the Devolution Rules.

Thus it is apparent that even in regard to subjects the administration of which has been transferred to popular control in the Provinces, the Secretary of State exercises a directing voice through the Finance Department.

Parliamentary Control of Indian Military Operations

Under Section 21 the Secretary of State in Council has control over the expenditure of the revenues of India. It is significant that these revenues cannot be applied to defray the expenses of any military operations carried on beyond the frontiers of India except with the consent of Parliament—not, be it noted, of the Indian Legislatures.

Control over Legislation in Practice

In regard to legislation, although the statutory obligation on the part of the Government of India to refer any matter to the Secretary of State is not specified in the Act, in actual practice there is scarcely an important piece of legislation which is not previously reported to the Secretary of State, either by despatch or by cablegram, and for which his previous sanction is not sought. This point was referred to in an earlier chapter,[1] but is very pertinent in this chapter.

[1] p. 3.

Relaxation of Section 19a Cancelled by Section 131

There is no doubt that the intention of the authors of the Reforms of 1919 was to give effect to the Declaration of August 1917 by a gradual relaxation of the powers of the Secretary of State. It was with this object that Section 19*a* was introduced into the amending Bill in 1919. Under this new section, provision was made for rules to be made to relax the control of the Secretary of State. It seems, however, to have escaped the attention of the framers of the amending Bill that this section is inoperative, because of Section 131 (1), which states specifically that "nothing in this Act shall derogate from any rights vested in His Majesty or any powers of the Secretary of State in Council in relation to the Government of India."

Legal Position of Section 19a and of Section 131 (1)

No doubt the above refers to the Secretary of State in Council, and not to the Secretary of State. But the Secretary of State in Council is also the authority referred to in Section 19*a*. From the legal standpoint, therefore, the Secretary of State can nullify under Section 131 (1) any relaxation of his control by means of rules under Section 19*a*. Moreover, any rules framed under this latter section would require the previous approval of Parliament.

An important debate took place in the Indian Legislative Assembly in 1923 on a non-official motion recommending action under Section 19*a*. Sir Malcolm Hailey, who was then Home Member of the Government of India, in opposing the motion on behalf of the Government of India, outlined the constitutional position in precise language.

There are two processes, he observed, by which advance could be made in the direction of relaxing the

control of the Secretary of State for India. One was by establishing conventions under which the statutory control of the Secretary of State, and therefore of Parliament, would continue restricted. The other was by means of rules under Section 19*a*—and this, he said, would amount to statutory divestment of control and be inconsistent with the constitution.

In his own words: "I maintain, therefore, that if we are to be correct in the maintenance of constitutional form, the Secretary of State should not divest himself of authority under Section 19*a* until we have made that change in our constitution as a consequence of which certain subjects can be handed over to the control of the Indian Legislature; in other words, until they are administered by Ministers."

No real Constitutional Advance possible under Section 19a

Apart, however, from the interpretation of Section 19*a* of the Government of India Act, it may be useful to examine the provision with a view to ascertaining whether any progress is possible under it towards responsible government.

The first part of Section 19*a* empowers the Secretary of State in Council to regulate and restrict, by making rules, the exercise of the powers of superintendence, direction and control, vested in the Secretary of State or in the Secretary of State in Council. (The words "regulate" and "restrict" cannot necessarily amount to divestment. Again, the words in the Section: "In order to give effect to the purposes of the Government of India Act, 1919," must be understood to govern the extent of the regulation and restriction.)

Amongst the purposes of the Government of India Act, 1919, the establishment of responsibility in the Central Government was not included in any direct sense,

although it is the ultimate aim. The Government of India under the Act must continue to remain entirely responsible to Parliament, until the latter chooses to hand over any of its power to the Indian Legislature.

No real constitutional advance is possible by rules under Section 19*a*. As Sir Malcolm Hailey pointed out in his speech in the Legislative Assembly, to which reference has been made above, the Government of India must be responsible to some Legislature; and as long as the authority is not the Indian Legislature, it must be Parliament through the Secretary of State.

Is Section 19a Applicable Only to Provincial Administration ?

The second part of Section 19*a* provides for rules being made for subjects other than those Transferred, subject to the approval of Parliament. The third part of the section relates to the framing of rules for such relaxation in respect of Transferred subjects. It may be nullified by His Majesty in Council if an address is presented to His Majesty by either House within thirty days of the meeting of both Houses.

It would appear, therefore, from the second and third parts of Section 19*a*, by the reference to Transferred subjects and other than Transferred subjects, that Section 19*a* was intended to apply only to Provincial administration, where a partial transfer has been effected under the system of diarchy.

Finally, the point may be examined whether, since the introduction of the Reforms in 1919, the power of the Secretary of State over the administration and the revenues of India has in practice been relaxed.

The Next Step

An authoritative answer to the question can be furnished only by those who have held office. It is

significant that Sir Tej Bahadur Sapru, K.C.S.I., LL.D. (who was Law Member of the Government of India for more than two years after the introduction of the Reforms, and who played such a leading part in the Indian Round Table Conference) has in his writings and speeches laid stress on the introduction of responsibility in the Government of India as the next step to be taken.

Constant Exchange of Cables and Despatches

In a book on the Indian Constitution, Sir Tej Bahadur Sapru wrote in 1924: "The administrative control of the Secretary of State is exercised in many ways. There are some matters which cannot be initiated without his previous approval, or assent or sanction. Sometimes such approval, assent or sanction, is given *ex post facto*. Yet again, there are some matters which require, by statute or practice or usage, to be reported to the Secretary of State. Leaving aside the control of legislation, which is vested in him by special provisions of the Statute, ordinary matters of administration involving the taking of some important step or raising questions of policy are referred to him by despatches or cablegrams."

There is every reason to believe that the number of despatches and cablegrams which pass between the Government of India, or the Governor-General, and the Secretary of State, is amazingly large. This is in regard to the civil administration of India.

Control of Indian Army

Section 33 of the Government of India Act leaves the control of both the civil and military Governments ultimately in the hands of the Secretary of State. Lord Esher's Committee, which examined the problem of post-war organisation of the Indian Army, observed in

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1919: "We are confronted with evidence of the continued reluctance of the India Office to relinquish into the hands of the Government of India greater freedom in the administration of the Army, even in cases where this could be done without compromising the administration of the Army at home, which is contrary to the sound principle of uniformity in the military policy. We are strongly of opinion that greater latitude should be allowed to the Governor-General in Council and to the Commander-in-Chief in India in matters affecting internal military administration."

Control Increasing

There is evidence to show that this criticism of the interference by the India Office, even in details regarding military policy, continues to apply with equal, if not greater, force to-day. Sir Purshotamdas Thakurdas, who was a member of Lord Inchcape's Committee on Retrenchment of Expenditure of the Government of India, wrote in his Minute of Dissent in 1922: "The Commander-in-Chief is the responsible adviser to the Government of India regarding military policy and affairs. Should the Government of India differ from the Commander-in-Chief on any question, the Secretary of State may, and not infrequently does, uphold the Commander-in-Chief and force a certain line of action on the Government of India. At times even when, as sometimes happens, the Government of India and the Commander-in-Chief agree, the Secretary of State rejects their unanimous recommendation and forces on them a different line of action, irrespective of the additional cost to the Indian Exchequer. This interference of the Secretary of State is not confined to questions of imperial interest, or to broad lines of policy, but extends to such administrative details as the comforts of British soldiers or the emoluments of officers."

Indian Suspicion of British Good Faith

There is a widespread feeling in India that, although under the Government of India Act, 1919, it is open to the Governor-General to allow military estimates to be voted by the Legislative Assembly, the adverse interpretation placed upon the Act by the Law Officers of the Crown in England was influenced by the policy of the India Office. This feeling of suspicion has been further strengthened in India by the extremely slow rate at which Indianisation of the Army is taking place.

The Indian Navy Bill

The incongruity of the Indian Navy Bill being discussed in the British Parliament even before the Legislative Assembly had an opportunity of expressing its opinion thereon was pointed out whilst the Bill was under discussion. The Royal Indian Navy will be available for use in any part of the world without the sanction of the Indian Legislature.

No Half-Way House in Transfer of Responsibility

Thus it is evident that both in regard to the civil and military governments in India (interpreting the latter as a comprehensive term to include the Navy and the Air Force) the Government of India is only a subordinate agency. The only solution of the problem lies, as has been pointed out by those who have worked the Reforms in India as non-officials and members of the Executive, in the introduction of responsible government, and the elimination of those administrative, legislative and financial powers which the Secretary of State now wields on behalf of Parliament, to which he is responsible.

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Central Legislature in India. So long as the Government of India is not responsible to the Central Legislature at Delhi, it must be responsible to the British Parliament—which exercises its responsibility through the Secretary of State.

No Real Advance Without Fresh Legislation

The Muddiman Committee, which explored further avenues of progress in 1924, discussed the possibility of further advance without fresh legislation. Originally there was considerable difference of opinion as to the possibility of such a course. The minority of the Committee was strongly of opinion that any substantial constitutional advance without an amendment of the Statute itself was impossible. On the other hand, the majority were of a different opinion. In the end, the majority of the members accepted the legal view of the minority. The legal and constitutional position has been examined at length in the Report of the Minority.[1]

In this connection the provision of Section 19a of the Government of India Act should be carefully borne in mind, and a distinction should be made between the second clause of that section and the third clause. Similarly, attention has to be drawn to Section 131 of the Government of India Act, which gives the utmost possible latitude to the Secretary of State in relation to the Government of India. Thus it appears that without an amendment to the Government of India Act the Secretary of State, even if he is disposed to relax his control, cannot go very far.

How Powers are Exercised

To sum up, and in order to appreciate the nature and extent of the powers of the Secretary of State, it is necessary to point out that he exercises his powers in three

[1] *Report of the Reforms Inquiry Committee* (1924), cmd. 2360.

different ways. Firstly, he exercises statutory control under certain sections of the Government of India Act, and he cannot divest himself of his obligations under this statute. Secondly, he exercises financial control, partly provided for by the statute and partly exercised as a matter of convention or practice. Thirdly, he exercises administrative control, exercised by him in his executive capacity upon the footing that he has residuary powers vested in him by his position of superiority.

What He Can Do Under the Present Act

Hitherto I have dealt with the Secretary of State's powers of interference. Should, however, a progressive Secretary of State wish to increase the scope and power of the Indian administration, and devolve as far as possible his powers to the Indian Legislature, he would under the present Act find that the limits within which he can do so are very narrow indeed. These may be summarised very briefly: (1) he can transfer in the Provinces some subjects from the Reserved half to the Transferred half without an amendment of the Act, but the transfer cannot be so complete as to demolish the present constitution—that is to say, one or more of the subjects must continue under the Statute to be administered by the Reserved half of the Government—otherwise the Executive Councils would have to go, which is not contemplated by the Act itself; (2) he can enforce the views embodied in the Montagu-Chelmsford Report and reinforced by the recommendations of the Muddiman Committee as regards the joint deliberation of the two halves of the Government in the Provinces. It is understood that in many of the Provinces there is no such thing in actual practice as joint deliberation ; (3) in regard to interference with the Reserved subjects, he can more rigorously follow the original policy (as indicated in the

Montagu-Chelmsford Report) of non-interference where the Provincial Government and the Central Government are agreed; (4) he can revise and reconstitute the electorates and enlarge the franchise; (5) he can ask the Local Governments to undertake legislation to put the assessment of land revenue on a statutory basis. Indeed, this was recommended by the Montagu-Chelmsford Report, but effect has not been given to it anywhere —with the result that the revision of what are known as the land revenue settlements is done, in Provinces where there is no permanent settlement, by mere executive order; (6) he can, without legislation, establish Provincial Militia for the maintenance of internal security, and thus reduce the expenditure on the Indian Army. But this question is intimately connected with the entire question of Indian self-defence.

Central Government

So far as the Central Government is concerned, the Secretary of State could : (1) considerably reduce the number of references which the Government of India have got to make to him, sometimes on trivial matters; (2) relax his financial control so far as expenditure is concerned by raising the limit of expenditure which the Government of India may make without reference to him; (3) prescribe and define the limits within which the Governor-General can certify any Bill under the provisions of 67*b* of the Government of India Act. (No provision of the present constitution has created more dissatisfaction in India); (4) allow military expenditure to be voted upon by the Central Legislature; (5) increase the number of Indian Members of the Executive Council and appoint them from the Opposition in the Legislative Assembly; (6) speed up the Indianisation of the Army and the Indianisation of the other services.

These are some of the directions in which, even under the present Act, a progressive Secretary of State for India could have liberalised the present administration. But in actual practice the limits would be found to be much narrower than they would appear to be in theory.

Chapter XXIX

INDIAN STATES

Types of Indian States

Indian States may be divided roughly into: (1) States which enjoy in internal affairs full sovereign rights; (2) States which, while enjoying full sovereign rights within their own territories, are subject to the advisory jurisdiction of the Government of India; and (3) the small States, many of whom owe their existence to grants from the British Government and enjoy civil and criminal jurisdiction within prescribed limits, the Government of India or their Agents having considerable powers of interference.

It is the contention of the bigger States that they should be treated differently from the smaller ones. Their contention is based on their historical antecedents, treaties and engagements. But in actual practice the Government of India have arrogated to themselves considerable powers of interference in all States.

Autocratic Government

Except in two or three of the southern Indian States the form of government is absolutely autocratic. Popular control of the machinery of their governments or of public finances exists nowhere. Indeed, a good many of the Indian Princes look upon the revenue of their States as their private income.

Problem of Sovereignty

The sovereignty of the Indian States presents a very complex problem. They are not sovereign in the strict sense of the word, and yet in point of fact it is true to say, at least of the bigger States, that in matters of internal administration they can pass any laws, establish any form of administration, maintain their own police, their own army and their own Courts of Law. Both in England and in India British Courts have recognised their sovereign position.

It is sometimes argued that the Indian States have gained a new access of sovereignty to their status by being allowed to send one of their number to the Imperial Conference and to the League of Nations. On the other hand, so far as the League of Nations is concerned, it may be argued that by so doing they gave up part of their sovereignty. For no other State was represented by anyone of more exalted status than a Minister.

Great Differences

The Indian States, as I have mentioned above, vary not merely in extent, but also in status and powers, from great States like Kashmir or Hyderabad, with areas respectively of 84,258 and 82,698 square miles and populations of 3,645,339 and 14,395,493, down to small States comprising a few acres.

Treaties were entered into with some of these greater States by the East India Company in the past on a basis not even of equality, but of one frankly acknowledging that the Indian State was more powerful than the British Company. They were accepted as allies. Later on, the East India Company undertook their external defence in return for a payment down, usually of a valuable tract of territory, from which the Company drew and the Government still draws the revenues.

Powers and Disabilities

Others were created or restored to the present rulers or their ancestors by the East India Company, or by Great Britain, the Company's successor.

The larger States have their own armies for internal defence. In case of an Imperial war, these are usually placed at the disposal of the Imperial Government. They have their own Courts of Justice, from which there is no appeal, even to the King or to the Privy Council. They have also their own system of government. Indian Rulers may give titles of honour to their own subjects, such as Maharajah, Rajah, Nawab, etc.

Indian Rulers are allowed no control over the great strategic railway lines that run through their territory, nor over the land immediately adjoining, nor over the British Residency area in their territory. They can have no foreign relations, nor until recently could they even have relations one with another.

There is usually a British "Resident," who is virtually ruler in many cases, and in others exercises the greatest powers of persuasion or "advice" over the Indian State Government. He is the real "Power behind the Throne."

Some of the smaller States have practically no powers even over the administration of justice.

Salutes of Guns

Rulers of the more important Indian States are entitled to a salute of guns, and the prestige and importance of a State may be estimated by the number of guns to which its Ruler is entitled. Sometimes, however, as a mark of special favour, a Ruler is allowed an extra number of guns as a personal salute in addition to the number to which he is entitled merely as Ruler of a particular State. The number of guns ranges up to twenty-one,

and only Indian Rulers who are entitled to salutes of more than eleven guns have the style of " His Highness." The salute of guns may in practice be modified or taken away by the British Crown.

Relations With British India

Neither the Central nor the Provincial Legislatures of British India have any control over the Indian States, nor are questions regarding these States allowed to be put in any British Indian Legislature.

The Governor-General of British India, as such, has no status whatever with regard to the Indian Princes. His relationship with them is that of the King's Viceroy. The Governor-General is merely head of the Government of *British* India.

As has been pointed out, the sovereignty of the Rulers of the Indian States is subject to the paramountcy of the Paramount Power, which is the British Crown acting through the Viceroy and the Political Department of the Government of India, which is directly responsible to the Viceroy. But with the national awakening in British India, the Princes have increasingly become dissatisfied with this relationship of subservience to the Political Department of the Government of India.

Princes' Dissatisfaction

Basing their claims on the inviolability of the original treaties, engagements, and sanads between themselves and the Crown, they take the view that the unlimited right of interference claimed and on occasion exercised by the Political Department is an infringement of their legal sovereignty as guaranteed by treaty. They object to the existing system which, in the case of matters in dispute between a Ruler of an Indian State and the Paramount Power, makes the Political Department both a party to the dispute and also the final judge.

Their dissatisfaction has been further added to by the process, which began in 1919, of transferring from Parliament to the Government of India, that is primarily to the Government of British India, certain powers, such as that over fiscal policy, the exercise of which in practice really affects not only British India but also the territories of the Indian States.

Chamber of Princes

Shortly after the introduction of the present (Montagu-Chelmsford) scheme of Reforms a Chamber of Princes was established, with power to appoint a Standing Committee. This Chamber has no statutory existence, but was brought into being by the Government of India with the concurrence of the then majority of Indian Princes. It is perhaps worth noting that some of the largest Indian States declined to take part in the Chamber of Princes. Such, amongst others, were Hyderabad, Mysore, and Indore.

The Chamber of Princes is a deliberative body only. It meets once a year at Delhi and is presided over by the Viceroy. The Political Secretary of the Government of India acts as its Secretary. The internal affairs of individual States are excluded from its purview. It only discusses questions of common interest affecting the Princes *inter se* or questions of an imperial character, such as self-defence, in which the Indian States and Government of India are interested. Its recommendations are not binding on the Government of India.

In these circumstances, the proceedings of the Chamber of Princes could be little more than formal. However, the support given by the Government of India to the establishment of such a Chamber marked the end of the policy it had hitherto pursued of "isolation," whereby the Paramount Power had discounted any collaboration or even intercourse between the different States. The

accept evidence of public bodies and private individuals, either written or oral, in regard to this subject. But this view was later modified, and the Indian States' Peoples' Delegation were allowed to put in a written statement, but not to give oral evidence or to attend the sittings of the Inquiry.

Indian Princes' Contentions

The opinion placed before the Butler Committee on behalf of the Princes can only be summarised briefly here. They contended that the Indian States to-day possess all original sovereign powers except in so far as they have been transferred to the Crown; that such transfer has been effected by the consent of the States and in no other way; that this consent and actual agreement must be investigated to see what rights and obligations have been created; and that such agreements appear normally in treaties; and that although they are capable of being made informally, in such case the onus is on the Crown, as the transferee, to prove the agreement; that paramountcy exists and gives to the Crown definite rights and imposes on it definite duties in respect of certain matters only—relating to foreign affairs and security—and does not confer on the Crown any authority outside these spheres.

They pointed out that even where the claims of humanity had been alleged, as in "suttee, infanticide, or slavery," the Crown had recognised that the suppression of such practices was to be achieved by negotiation and not by the right of interference. They held that usage cannot be alleged where agreement is absent; and that the States must be considered separately, as agreement by one State does not bind other States. The scope of interference being defined in the phrase "foreign relations and external and internal security," there were certain cases, "as for example such misgovernment by

Kathiawar States, declined to be represented by Sir Leslie Scott, preferring to state their case directly in written replies to the Butler Committee's questionnaire.

After a visit to India, in the course of which they travelled through most of the chief States, the Butler Committee sat and took formal evidence in London in the autumn of 1928. The evidence was given *in camera*, but many of the members of the Standing Committee of the Chamber of Princes who had arrived in London during the summer were present when Sir Leslie Scott, in October and November, put forward their case before Sir Harcourt Butler and his two colleagues.

Indian States' Peoples

Not unconnected with this new development among the Rulers of the Indian States was the movement which came into existence, mainly on the initiative of certain persons who were born subjects of Indian States although engaged in political and public work in British India, to formulate and work for a rectification of the grievances of the peoples of the Indian States.

A Conference, attended by seven hundred delegates claiming to represent all the important States, in December 1927 brought into existence a permanent organisation called the Indian States' Peoples' Conference. A delegation of three was appointed by the Executive of this Indian States' Peoples' Conference, in the early part of 1928, to proceed to London to place the views of the subjects of the Indian States before the Butler Committee. The delegation consisted of Diwan Bahadur Ramchandra Rao, a prominent and respected Indian Liberal, Professor Abhyankar, and Mr. P. L. Chudgar.

The view at first taken by the Butler Committee was that their terms of reference did not empower them to deal with the relations between the Indian States and their subjects, and that they were unable therefore to

accept evidence of public bodies and private individuals, either written or oral, in regard to this subject. But this view was later modified, and the Indian States' Peoples' Delegation were allowed to put in a written statement, but not to give oral evidence or to attend the sittings of the Inquiry.

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the Ruler as would imperil the security of the State, in which the Paramount Power would be clearly entitled to interfere." But, it was argued, there was no " general discretionary right to interfere with the internal sovereignty of the States," and it followed that over a wide field, such as fiscal questions and the commercial and industrial development of India as a whole, it was " within the rights of the States, apart from special agreement, to remain inactive and to abstain from co-operation with British India."

It was proposed by the Princes that all matters of common concern to India as a whole should be discussed and determined not, as at present, by British India alone, but by an executive representative of Britain, British India, and the Indian States. It was urged that reconsideration should be given to the existence of an " Indian India " as a political entity, separate and distinct from the machinery which governs British India. The link between the two Indias would be the Viceroy, representative not only of the Crown but of British India.

Finally, the establishment of a Supreme Court was desired, a court which in all justiciable disputes would be competent to decide impartially between British India and the Rulers of the Indian States.

Butler Committee Report

However, when the Report was eventually published, it was found that on the main question at issue, namely the claim of the Princes that the unlimited discretion of the Paramount Power to interfere in the affairs of the Indian States was an abrogation of their treaty rights, the conclusion of the Butler Committee was unfavour-

growing relationship, shaped by circumstances and policy, resting on a mixture of history, theory, and modern fact. The Committee observed that it was not in accordance with historical fact that when the Indian States came into contact with British power they were independent, possessed of full sovereignty and of a status which a modern international lawyer would hold to be governed by the rules of international law. In fact, none of the States ever held international status. Nearly all of them were subordinate or tributary to the Moghul Empire, the Mahratta supremacy, or the Sikh kingdom, and dependent on them. Some were rescued and others were created by the British.

Summing up their conclusions, the Butler Committee said: There were two Indias under different political systems, British India and the Indian States. The latter differed so greatly amongst themselves that uniform treatment of them was difficult, if not impossible. Treaties, engagements and sanads, where they exist, were of continuing valid force but had necessarily been supplemented and illumined by political practice to meet changing conditions in a moving world.

Paramountcy

Referring to Paramountcy, they observed that though it had lost and should continue to lose any arbitrary character in full and open discussion between the Princes and the Political Department, it must continue to be paramount, and, therefore, it must be left free to meet unforeseen circumstances as they arise.

Thus the chief hope entertained by the Princes who had asked for the inquiry, namely that they would be freed from the unfettered discretion of the Political Department to intervene in the internal affairs of the Indian States, was not fulfilled. The rejection of the claims advanced on behalf of the Princes was a serious reverse,

and the speeches made at the meeting of the Chamber of Princes in February 1930, which reviewed the position created by the Report, reflect their keen disappointment; a disappointment which was the greater since no effort or expense had been spared in preparing and presenting their case before the inquiry.

Before the Butler Committee had reported, though, the Statutory (Simon) Commission had been appointed. The whole question of the constitutional future of British India was therefore in the melting-pot, and the Secretary of State for India, Mr. Wedgwood Benn, properly decided that no action should be taken on the Butler Report independently of the constitutional changes in British India. In fact the Declaration made by Lord Irwin, on November 1st, 1929, formally recognised the impossibility of considering the constitutional future of India except as affecting the whole of India.

The Round Table Conference proposed in that Declaration, and on the basis of which the Government announced it would frame its proposals for India's future, was to be a conference of representatives of the Indian States as well as of British India.

Chapter XXX

AGRICULTURE

Villages

In British India over seventy-three per cent. of the population are engaged in or immediately dependent upon agricultural pursuits. "Almost everywhere in India," says the Report of the Linlithgow Royal Commission,[1] "it would appear that, from time immemorial, the people have lived in small villages, the mud houses of which are huddled together in a more or less compact area situated in the midst of the fields which provide the means of livelihood to their occupants.

Average Holdings

"The farms and farmsteads which are so prominent a feature of the rural life of western countries are entirely absent. There is no obvious link between the home of the individual cultivator and the fields he tills. His house is in the village and the fields which make up his small holding are scattered over the area of the land attached to it.

In the south and east the average holding is about five acres, and elsewhere not more than half the holdings exceed this limit. Large towns are few, great cities are rare; most of the 500,000 villages have not yet been touched by metalled road or railway; post offices are many miles apart, telegraph offices still more distant from each other."

[1] Cmd. 3132. *Report of Royal Commission on Agriculture in India*, 1928.

A Typical Village

To quote again from the Linlithgow Report, "each village tends to be self-contained; in each will usually be found some persons with permanent rights in the land, either as owners or tenants with hereditary occupancy rights; of these, some cultivate all they hold, others with larger areas at their disposal rent out to tenants, on a yearly agreement, a part or the the whole of their lands; below these in the scale are the agricultural labourers, frequently of different castes from the actual cultivators; some of these have acquired small plots in proprietary right or permanent tenure, some have a field or two on rent; some work in the fields only at times of pressure and are mainly engaged in crafts such as leather work or in tasks regarded as menial.

"In all but the smallest villages there are one or more skilled artisans, carpenters or ironsmiths, who provide and repair the simple agricultural implements, bullock-gear and water-lifts. The household requirements are supplied by a shop or two, whose owners frequently provide the first market for the village produce and add to their earnings by engaging in money-lending. Almost invariably there is a religious building, a temple, shrine, or mosque.

Sub-Divisions of Holdings

"For the most part, the people belong to families that have lived within the same village for generations past; their holdings are inherited from their fathers before them and have been divided and aggregated as the descendants of a common ancestor have increased or decreased in numbers. By both Hindu and customary law, inheritance of immovable property is by equal shares among sons and male agnates. Slight variations

abound, but it is broadly true that inheritance is by blood in the male line and seldom by will. . . . The result of repeated partitions amongst heirs is a persistent tendency to sub-division of holdings. This tendency is, however, in part counteracted by forces making for aggregation.

"Where water is readily available, each village has its own supply, and, in general, it may be said that, where means for irrigating the fields are within the power of the people, such irrigation is to be found. Firewood is usually obtained from the village waste or the fields; where fuel is scarce, dung cakes are of necessity employed for cooking. Indeed, for certain purposes dung cakes are preferred even when an alternative fuel is available. Seed is saved by the cultivator from the harvest or bought from the village shop; cattle are bred within the village or bought from some near neighbour or wandering grazier; the sire is frequently loosed as an act of piety or merit. From generations past, the occupations of the people have been pre-determined by something of the nature of an occupational caste or guild system. The more remote from the road, the more self-sufficing is the village in all the requirements of its people from birth to death."

Primitive Implements

The implements in general use are still primitive in character. The hand sickle is employed and the soil turned with the ordinary wooden plough. Threshing is still carried out by hand by beating or by trampling the grain underfoot. The introduction of proper implements is essential if there is to be an increase in the productivity of the soil—an increase which is imperative if the wretched standard of living of the agricultural masses is to be improved. At the same time it must be remembered that much energy and money in the past

have been wasted in trying to introduce from the West implements and methods of cultivation which, however efficient in the West, were not suited to Indian conditions.

Chief Crops

The chief crops which may be described as universal in India are millet, pulses and oil-seeds. These are grown in all parts of India, except in the plains where plentiful water makes the land suitable for rice growing, and in the north of India where more temperate conditions favour the growing of wheat. Millets and pulses, or rice, together with garden produce, form the bulk of the food of the agricultural population. In the north, where wheat is grown, this cereal also enters the diet of the agricultural masses, but only in any quantity when the world price of wheat makes its export from India unprofitable.

In certain areas cotton is grown on a large scale, and in Bengal the whole of the world's supply of jute is raised. Another important commercial crop is tea, which is grown in Assam and in Southern India. But tea and the other plantation crops stand in a class apart, since the method of their cultivation is more in the nature of a specialised branch of industry than of the normal conditions of agriculture. On the other hand, sugar is cultivated in the northern plains as an ordinary agricultural crop.

Cattle

Cattle and buffaloes are the chief beasts of draught and burden. The cow is venerated as a sacred animal by a majority of the population. However useless or diseased they may be; the slaughter of cows is prohibited by religion. This undoubtedly makes it more difficult to maintain the quality of the stock. The average yield of Indian cows milked is not more than six pounds a day,

as compared with twenty pounds produced by certain English breeds.

Irrigation

India is entirely dependent on the monsoon for rain, and being a great agricultural country rain is her life-blood. The rainfall is not distributed, as in this country, all through the year, but comes at a more or less fixed period every year. When the rain fails, famine follows.

Much has been done, especially in recent years, to modify or counteract the effects of lack of rain by irrigation works. These have also enabled a much larger area to be brought under cultivation. Since the beginning of the present century the artificially irrigated area has been increased from less than twenty million to nearly fifty million acres.

There is no doubt however that what has been done is but a fraction of what still remains to be carried out. Great schemes have been undertaken for Northern India and Southern India, but Bengal has largely been neglected.

Increased irrigation would be of incalculable benefit to the cultivators, but must be undertaken by Government—as it is on far too large a scale for private individuals to attempt, even if they are willing to do so.

Absentee Landlords

Not all landlords are so progressively inclined. In Bengal, for instance, the Royal Commission points out, the great landlords are indifferent or conservative. "They are mostly too busy collecting rents to worry about permanent improvement of the land by irrigation." The Royal Commission adds that money invested in the land in this way would be a very profitable investment. These landlords are chiefly of the absentee variety, and to a great extent spend abroad or in the cities the money wrung out of the wretched cultivators.

peasantry. Whether this can be the cure or not, there is no doubt about the malady—that the Indian agriculturist, deprived of subsidiary sources of employment, is to-day more than ever dependent on the chances of the weather and other forces over which man has little or no control at all.

Land Tax

Alongside this poverty of the masses there exist very wealthy landlords, and there is a vicious system of land tenure. All agricultural land in India is assessed for land revenue. This tax has up to the present provided the bulk of the income of the Provincial Governments. In about half the area of British India a system prevails whereby the actual cultivator or small proprietor is levied direct for land revenue. But in the other half of British India land revenue is collected through intermediaries. Except in the Punjab these intermediaries are *zamindars*, or great estate owners. These *zamindars* form a powerful landed aristocracy, especially in certain parts of Bengal, the United Provinces and Madras.

This question of land revenue and tenure is a very complicated one. The whole system needs overhauling if India is to be spared serious agrarian troubles in the future. More than any other aspect of Indian agricultural conditions, it needs the searchlight of public inquiry.

Chapter XXXI

THE ROYAL COMMISSION ON AGRICULTURE

Linlithgow Commission

A Royal Commission on Agriculture was set up in 1927 to "report on the present conditions of agriculture and rural economy in British India and to make recommendations for the improvement of agriculture and the promotion of the welfare and prosperity of the rural population." It was presided over by the Marquess of Linlithgow and consisted of ten members, five Europeans and five Indians.

The value of their recommendations[1] was seriously impaired by the fact that by their terms of reference the Commission were excluded from inquiring into such questions as landownership and tenancy, assessment of land revenue and irrigation charges. These excluded questions are at the root of India's agricultural problem.

The recommendations of the Commission, therefore, related largely to improving the efficiency of the Government and other agencies established in India to assist agriculture. They stressed the need for the introduction of more effective co-ordination of the work of various authorities dealing with agriculture.

A Government Agricultural Research Institute was already in existence at Pusa. But the Commission felt strongly that it was essential that the work of this Institute should be brought into closer touch with the Provincial Departments of Agriculture and the latter with

[1] Cmd. 3132.

each other. They therefore recommended that an Imperial Council of Agricultural Research should be established in order to guide and advise all other agricultural bodies. The primary function of this Council would be to promote, guide, and co-ordinate agricultural research throughout India. It would train research workers and make grants to Indian research institutions. This Imperial Council of Research was to be supplemented by Provincial Research Committees in each of the larger Provinces.

The main success of the agricultural departments had been in the direction of introducing improved varieties of crops. Even so, it was in only a small fraction of the total agricultural area that such improvements had been effected. The Commission placed the greatest importance on increasing the productivity of the soil. They pointed out that, although a great deal of careful work had been done, little progress had been made in introducing improved manurial treatment into general agricultural practice. Improved varieties of crops required for their fullest development more liberal manurial treatment than those ordinarily grown.

Except for flower or vegetable seeds, there were no seed merchants in India in the sense in which the term is understood in European countries. The work of distributing improved seed, therefore, fell entirely on the Agricultural Departments and co-operative societies.

Agricultural Machinery

The Commission dealt with the necessity for improving agricultural machinery. Before discarding indigenous implements in favour of foreign designs, however, extensive trials would be necessary to test the comparative merits of the two types in the conditions under which the cultivator works. In their view the improvement of existing agricultural implements and machinery offered

a more promising field than the introduction of new types.

Sub-division of Holdings

A serious obstacle to agricultural improvement in some Provinces, they observed, was caused by the sub-division and fragmentation of holdings. Sub-division was chiefly due to the laws of inheritance, customary amongst the Hindus and Mohammedans, which enjoined a succession to immovable property amongst all the heirs and usually in equal shares. This problem was being attacked by the Co-operative Department in the Punjab, where some striking results had been achieved, and by legislation in the Central Provinces and Bombay.

The Commission observed that the Agricultural Departments in India had done much to improve the quality and to increase the quantity of the cultivator's out-turn. But it could not be said that they had been able to give him substantial help in securing the best possible financial return for his improved quality and his increased out-turn.

Marketing Conditions

There was a great absence of improvement with regard to marketing conditions in India. In all Provinces they received complaints of the disabilities under which the cultivator laboured in selling his produce. The most hopeful solution of his difficulties, they felt, would lie in the improvement of communications and the establishment of regulated markets. They also suggested the possibility of standardising weights and measures throughout India.

The Curse of the Moneylender

The funds required by the cultivator from time to time for general agricultural needs are supplied by the local

moneylender, who also supplies credit for domestic wants and for the ceremonial expenses which are so often unduly extravagant. The moneylender is frequently a curse. He recognises no distinction between capital required to finance an industry and money needed for ordinary household expenditure. Easy credit and exceedingly high rates of interest have led in some parts to the development of indebtedness to very dangerous proportions. The cultivator often begins in debt, lives in debt, and dies in debt. The rate of interest which he has to pay may be from 36 to 48 per cent.

Not only the land, but even the crops are mortgaged, and that in many cases before they are sown. The mortgaging of agricultural land is the most common method of arranging long-term credit and the total sum advanced upon this form of security is very large. Mortgage credit is rarely used to finance improvements in agricultural land. It is resorted to when the unsecured debt becomes larger than the lender considers safe or, in times of distress, like the present, for ordinary agricultural needs.

The Commission recommended that no unfructuary mortgage of agricultural land should be permitted by law, unless provision were made for automatic redemption within a fixed period of years of which twenty should be the maximum. Various enactments had from time to time been passed by different Local Governments to deal with the transfer by sale or mortgage of agricultural land to non-agriculturists. It should be considered, in the light of local conditions, whether such measures might not more generally be extended.

The Commission remarked that legislative measures designed so far to deal with the problem of indebtedness in India had proved a comparative failure. The Usurious Loans Act was practically a dead letter in every Province in India. They considered that an inquiry into the causes of the failure to utilise this Act should be

made in all Provinces. They thought, if its provisions were fully utilised, it would go far to remove the worst evils of uncontrolled usury.

Other Acts recommended for the consideration of the Local Governments were the Punjab Money Lenders' Act and the British Money Lenders' Act of 1927, whilst the case for a simple Rural Insolvency Act should be examined.

Salvation by Co-operation

At the same time the Commission had no hesitation in recording their belief that the greatest hope for the salvation of the rural masses from their crushing burden of debt rested in the growth and spread of a healthy and well-organised co-operative movement based upon the careful education and systematic training of the villagers themselves. "Apart altogether from the question of debt, co-operative credit provides the only satisfactory means of financing agriculture on sound lines. If the rural community is to be contented, happy, and prosperous, Local Governments must regard the co-operative movement as deserving all the encouragement which it lies within their power to give."

The Commission observed that economic changes were occurring rapidly in India. The development of communications, and the consequent quickening and cheapening of travelling facilities, were bringing the villages into closer touch with urban centres. This had tended to break down the isolation and self-sufficing economy of the village. Contact with the towns had introduced new ideas and a desire for a better standard of living.

Wastage by Disease

The close relations between agriculture and public health were obvious and reacted upon each other to a

remarkable degree. There was no direction in which the rural community needed help more than in the provision of medical facilities and public health amenities.

"Economic wastage due to disease cannot be over-exaggerated. Malaria slays its thousands and lowers the economic efficiency of hundreds of thousands; plague and cholera sweep the country from time to time; hook-worm disease, kala-azar and diseases arising from diet deficiency, insidiously reduce the labour power of the cultivating classes. . . . Unprotected wells and tanks; unswept village streets; close pent windows excluding all ventilation—in such conditions does the average villager live. . . ."

To deal successfully with this state of affairs, said the Commission, imposed duties both on the Government and on the people. It could not reasonably be expected of the cultivator that he should, unaided, revive the ancient Indian custom of corporate action and utilise it for the improvement of the village and its surroundings. At the same time they had been much impressed, in the course of their tour, by the great awakening of non-official interest in the health and welfare of the country-side. As typical examples of such efforts they singled out the Poona Seva Sadan Society, the Co-operative Anti-Malaria Society in Bengal, and the rural reconstruction work of the Y.M.C.A. in Southern India.

advancement of the people would merely postpone the effects of this growing pressure of the population. No lasting improvement in the standard of living of the great mass of the population could possibly be attained if every enhancement in the purchasing power of the cultivator was to be followed by a proportionate increase in the population.

Importance of Education

Their inquiries left them firmly convinced of the great importance to rural development in India of the spread of literacy amongst women. They were convinced that the progressive adoption of compulsory education was the only means of overcoming the unwillingness of parents to send their children to schools and to keep them there till literacy was attained.

No substantial improvement in agriculture could be effected unless the cultivator had the will to achieve a better standard of living; and the health and ability to enable him to take advantage of the opportunities which science, wise laws, and good administration might place at his disposal. Of all the factors making for prosperous agriculture they considered by far the most important was the outlook of the peasant himself. But this in the main was determined by his environment, and it followed therefore that the success of all measures designed for the advancement of agriculture must begin with his environment. The demand for a better life could be stimulated only by a deliberate and concerted effort to improve the general conditions of the countryside.

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Throughout their investigations they were constantly impressed with the thought that mere material improvement alone would not bring lasting benefit to the agricultural population. The growing pressure on the soil was the underlying evil. Increase in yield by better seed and better cultivation; security of the harvests gained by the extension of irrigation; immunity from losses due to pests or pestilence; higher prices from improved communications and conditions of markets; everything, in short, which they had advocated for the material

advancement of the people would merely postpone the effects of this growing pressure of the population. No lasting improvement in the standard of living of the great mass of the population could possibly be attained if every enhancement in the purchasing power of the cultivator was to be followed by a proportionate increase in the population.

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Chapter XXXII

INDIANS OVERSEAS

There are to-day something like two and a half million Indians settled in the British Empire outside India. The unsatisfactory treatment and unequal status accorded to these British Indian subjects residing in the Empire have for many years been the subject of keen resentment in India.

In early times there is little evidence of Indian settlement outside India except in the East Indies and Ceylon. But with the opening up of the Straits Settlements at the beginning of the nineteenth century Indians began to emigrate there to work on the sugar, spice and coco-nut plantations.

Indentured Labour

The emanicipation of the slaves in British colonies in 1833 was followed by a scarcity of labour on the plantations in Mauritius and the West Indies. In consequence the planters of Mauritius and the West Indies turned to India. Indian coolies were recruited by their agents and shipped to the plantations, there to work under a system of indenture which tied the labourer to his employer for a minimum period of five years. This system, which in actuality amounted to little less than a new form of slavery, before long provoked an outcry. For a time emigration was prohibited. An inquiry was held into the methods prevailing and revealed serious abuses. In 1842, however, the recruitment of indentured labourers

for employment on the plantations in Mauritius was re-opened, on certain conditions, and was subsequently extended to British Guiana, Jamaica, Trinidad and the other West Indian islands. In 1860 it was further extended to Natal. In the following years Fiji, Ceylon, Malaya, the Transvaal and East Africa all availed themselves of the abundant hunting-ground for cheap labour in India.

The lot of these indentured labourers in their new surroundings was often terrible in the extreme. It may be that in some cases the standard of life on the plantations was perhaps even higher than the pitiful standard in the districts in India from which they were recruited. But the disabilities under which the Indian indentured labourers had to work, in unfamiliar surroundings and usually without their womenfolk, can only be recalled with shame.

Between 1842 and 1870 no fewer than five hundred and thirty-one Indian coolies emigrated under indenture contracts to plantations in Mauritius, Natal, British Guiana, Trinidad, Jamaica, and other West Indian islands and the French colonies.

South Africa

In the case of some of the less distant areas, such as Malaya and East Africa, there was also an emigration of free labourers. In East Africa, of course, long before British settlement in that colony, there had been established Indian traders. In South Africa, in Natal, a great number of the industrial labourers, after the end of their term of indenture, settled in the country, and commerce brought a number of Indian trade settlers, especially from the Gujerat district of the Bombay Presidency. At the same time the planters in South Africa continued to bring in indentured coolie labour from India, a practice which continued until 1911. By 1921 there were no fewer than 152,000 Indians in the Union of

South Africa. Many of these had been born in South Africa, had never seen India, and regarded Africa as their home. But while Indian emigration into South Africa was being encouraged to ensure adequate cheap labour for the planters, the Indian population was being increasingly subjected to discriminatory treatment as compared with the white settlers.

Gandhi-Smuts Agreement

This led in the years immediately before the Boer War to an agitation on the part of Indians in South Africa, led by Mr. Gandhi, protesting against this treatment. After the Boer War the position of these Indians in South Africa worsened. In 1907 the Transvaal Act, enforcing registration and proposing to take fingerprints, provoked a passive resistance movement on the part of Indians which resulted in the suspension of the Act. Eventually, in 1914, a " gentlemen's agreement " was arrived at between Mr. Gandhi and General Smuts, which temporarily allayed agitation and ended the passive resistance movement by providing that although further indentured immigration should be prohibited, the status and rights of Indians already within the Union of South Africa should be protected.

After the Great War trouble broke out again with the depriving of Indians in Natal of the municipal franchise, and the further violation of the Gandhi-Smuts Agreement proposed in the Areas Reservation Bill. By the provisions of this Bill Indian settlers would be confined to certain coastal areas.

Round Table Conference

At the end of 1925 the Government of India sent a Deputation to South Africa to investigate the economic condition and general position of the resident Indian community. The visit of this Deputation was followed

by a return visit to India of a parliamentary Deputation from the Union Government. As a result of these investigations and discussions a Round Table Conference of Indian and South African delegates was held in Cape Town in December 1926.

This Round Table Conference recognised the desire of South Africa to maintain the western standard of life in the Union, and that a solution of the problem would be assisted by a raising of the standard of life of many of the Indian settlers. At the same time it was proposed that the Union Government should organise a scheme of voluntary assisted repatriation to India. South African Indians, going to India under this scheme, would lose their South African domicile after three years' continuous absence from the Union—although it would be possible for any of them to return to South Africa within three years, providing they refunded the amount of the assistance they had received. The Government of India recognised their obligation to look after Indians arriving in India from South Africa under this scheme. The Areas Reservation and the Emigration Restriction (Further Provision) Bills were to be dropped by the South African Government. Finally, a permanent Agent of the Government of India was to be appointed in South Africa in order to secure continuous and effective co-operation between the two Governments.

Indian Agent in South Africa

The Rt. Hon. Srinivasa Sastri's appointment as the first Agent in South Africa received universal approval and considerably assisted the working of the Round Table agreement. In 1929 he was followed by Sir K. V. Reddi.

Second Round Table Conference

A second Round Table Conference was held in Cape Town at the beginning of 1932 to review the working of the 1926 Agreement.

Transvaal Asiatic Land Tenure Bill

Despite the provisions of the first Round Table agreement the Union Government were contemplating the enactment of further anti-Indian legislation in the form of the Transvaal Asiatic Land Tenure Bill. Moreover, the scheme of repatriation had been found increasingly unworkable. To many of the families repatriated under the scheme their return to India had meant only ruin.

If the discussions at the second Round Table Conference at Cape Town were not entirely satisfactory from the Indian point of view, they achieved some easing of the tension. It was agreed that the repatriation scheme should be abandoned. Some of the more objectionable features of the Transvaal Asiatic Land Tenure Bill were to be modified. The Union Government and the Government of India were to investigate the possibility of land settlement, in a country where they might have greater opportunities, as an outlet for the younger generation of Indians in South Africa. The Union Government would continue to adhere to the policy of raising the standard of the permanent section of their Indian population.

This has eased the situation for the moment. But since 80 per cent. of the Indian population, which in 1921 numbered some 161,339, are now South African born, it is difficult to see any solution of this problem which denies them equal rights with the white settlers as British subjects.

East Africa

In East Africa the racial question has also embittered the relations between Indian and European colonists in the Empire.

In Kenya Indian settlement was of a much earlier date than the European settlement. In 1926 the Indian

population numbered 26,759 as against 12,529 Europeans.[1] With the building of the railway into the interior of Kenya Colony, and the discovery and opening up of the highlands, which, unlike other parts of Kenya, were suitable for European settlement, the European interest in Kenya rapidly increased. More and more a monopolistic policy was followed by the white settlers. The interests of the Indian settled population were made subsidiary to the dominance of the European settlers.

Communal Franchise

A crisis came in 1923, when pressure from these European settlers led the British Government to go back on the provisional agreement reached between the Colonial and India Offices a year before and to impose on the Colony a franchise divided on racial lines. As a protest, the Indian population refused to take part in elections under this communal system of franchise. Before the Hilton Young East African Commission and before the Joint Committee of both Houses of Parliament representatives of the Indian settlers in Kenya, Tanganyika and Uganda, and the Rt. Hon. Srinivasa Sastri, representing the Government of India, pressed the demands of the Indian settlers as British subjects for equality of treatment—particularly the demand for a common electoral roll.

Fiji

A similar struggle on the part of the Indian settled population against the imposition of an electoral roll providing separate electorates for Europeans and Indians has developed in Fiji. This objectionable system of communal electorates was incorporated in the scheme of constitutional reforms introduced in Fiji in 1929.

[1] There are also some 9,411 Indians settled in Tanganyika and some 5,000 in Uganda.

The Indian community in Fiji took part in the first elections under this system, but the first act of the Indian representatives in the new Council was to urge the adoption of a resolution in favour of the substitution of a common electoral roll. This resolution, however, was defeated with the help of the representatives of the white settlers—whereupon the Indian Members of the Council resigned. The Indian community, as a protest against the drawing of a distinction between the European and Indian British subjects in the colony, have refused to nominate candidates to fill these Indian seats.

Ceylon

Making recommendations in 1928 for a reformed constitution in Ceylon, where the Indian settled population numbers some 820,000, the Donoughmore Commission sent out to Ceylon by the British Parliament reported against the incorporation of communal electorates in the reformed constitution. This recommendation was adopted by the Government and the reforms recently introduced provided for a common franchise. But to placate the opposition from influential sections of Sinhalese opinion, certain requirements were laid down in the case of the large Indian immigrant population.

It is on these Indians that the Sinhalese depend for labour on the plantations. But these Indian immigrants had to prove that they had been five years resident in the island before they were qualified to vote. It was also proposed that they should make a statutory declaration that they had decided to reside permanently in the colony, and would not seek the protection of their country of origin.

The introduction of these additional requirements in the case of immigrants aroused vigorous opposition in India and has been the subject of a strong representation by the Government of India to the Colonial Office.

Malaya

In recent years Indian emigration has been practically confined to Ceylon and Malaya. In Malaya there is a large population engaged in trade or employed on the plantations. In 1926, the last date for which figures are available, the number of Indians in British Malaya, including Straits Settlement, Federated and Unfederated Malay States, was 660,000. Other parts of the British Empire where there are considerable Indian settled populations are British Guiana (124,938), Trinidad (121,420) and Mauritius (264,527).

Recruiting for Labour Overseas

Since 1922 all recruiting of labourers in India for employment elsewhere in the Empire has been prohibited, except to such countries and on such terms as the Government of India may specify. Subject to the fulfilment of specific requirements with regard to the maintenance of certain conditions of labour, emigration to Ceylon and Malaya, and later to British Guiana, has been permitted.

Notwithstanding the desirability of relieving the pressure of population in India, the bad conditions to which Indian immigrants have been subjected in the past, and the discrimination which is still practised against Indians in parts of the Empire, have made emigration unpopular in India except to nearby Ceylon and to Malaya. The present position in regard to the status of Indians settled in the Empire outside India is also the cause of much bitter resentment in India. If India is to remain in the British Commonwealth of Nations, and the Commonwealth remain united, it seems clear that the invidious distinction which is drawn between European and Indian British subjects cannot be allowed to continue.

Chapter XXXIII

PLANTATIONS

Tea, Coffee and Rubber Plantations

Although strictly an agricultural activity, the growing of certain crops in India is organised on more or less industrial lines, and the workers employed in their cultivation approximate more closely to the industrial worker than to the agriculturist. Such crops are grown on plantations, the cultivation being carried out under the direct supervision of a manager, who in some cases may be the proprietor and who may employ anything from a few hundred to three or even four thousand workers.

The chief plantation crops are tea, coffee and rubber, the number of persons employed on the tea plantations being vastly in excess of those employed in the cultivation of the two other crops. In 1929 the average daily working strength on the tea plantations in India was 930,472 persons, on the coffee plantations 92,504 persons, and on the rubber plantations 48,704 persons.

The plantations in India are almost entirely in European hands. About ninety per cent. of the plantations of North India (Assam and Bengal), and nearly all those in Madras and Burma, are controlled and managed by Europeans.

Most of the plantations are to be found in two areas, the one covering the Assam and Surma valleys in Assam and certain districts in northern Bengal, and the other covering certain districts in Madras Presidency, Coorg, and the South Indian States.

The only other plantation area of first importance is in Burma, where practically the whole plantation area is devoted to rubber cultivation. The usual location of the plantations is in cleared forest land, and therefore in areas with a very sparse local population. The labour required has to be recruited from elsewhere. In the case of Assam the plantation workers have to be recruited from distant parts of India. It is vital to the plantation owners that there should be an adequate supply of immigrant labour.

Recruitment of Labour

In Madras Presidency and the adjoining Indian States the question of securing a sufficient labour supply has presented no very great difficulties. The neighbouring agricultural areas have a much larger population than it is possible for the land to support, and the tea and coffee plantations in southern India are able to draw upon these over-populated agricultural districts for their labour.

In Assam the situation is very different. The nearest sources of labour for the plantations are in places far distant from Assam, and the means of transport when the gardens were being opened up was poor. This factor of distance and inaccessibility made and makes to-day recruiting an expensive business for the planters. To prevent their losing a return on the money they invested in recruiting from these distant sources, legislation was forthcoming in the early days of the plantations legalising the employment of labourers on penal contracts. A labourer was bound by a contract to serve for a specified period on the garden to which he was recruited. If he failed to work without reasonable cause, or ran away, he could be punished criminally, and the planter had the right to arrest an absconder.

Indenture System

This system of indenture, and the reluctance of labourers to go to Assam in consequence, led to frightful abuses. All kinds of devices were practised in the recruiting areas by contractors and professional recruiters to secure the large prices obtainable for the supply of labourers for tea gardens. Finally, it became necessary for the Government to intervene with elaborate regulations prohibiting all recruitment except by garden sardars, that is by men who had actually worked and were employed on the tea gardens. Recruitment was restricted to certain areas, and the Local Governments were given the power to prohibit recruitment even in these areas if they thought fit. Thus forcible recruitment, and other abuses connected with recruitment, were gradually dealt with. But the system of indenture on the plantations remained. Not until 1915 was this abhorrent system finally abolished in Assam. Only in 1926 the Workmen's Breach of Contract Act, which made permissible penal contracts of only a slightly different type, and to which many planters resorted after the abolition of indenture, was repealed.

The memory of the evil system of penal contracts, and the abuses which were common both in the recruiting areas and on the plantations themselves, still remains. And the unhealthy climate, the low wages, and the unattractiveness of certain conditions of life on the plantations, still make recruitment to Assam unpopular throughout India.

For the agricultural masses among whom the recruitment is carried on it involves no radical change of occupation. In this way it differs from migration to the industrial districts in the towns. The chief difference, however, between migration to the industrial centres and migration to the plantations in Assam is

that the latter is family migration, whole families, men, women, and children, being employed in the gardens. Also, unlike the factory population in the industrial centres, they tend to remain as a settled population.

Low Wages

Despite the improvement which has taken place in the conditions of employment in recent years, conditions in the tea gardens are still anything but satisfactory. One need only take the figures of the average earnings for 1929-30, given in the annual report on immigrant labour published by the Assam Government. According to these figures, the average earnings in the Assam Valley were 20s. per month for men, 16s. for women, and 10s. 6d. for children; and in the Surma Valley were 15s. 6d. per month for men, 12s. for women, and 7s. 6d. for children. But in regard even to these figures, the Labour Commission notes in its Report that " this calculation does not purport to represent the average monthly earnings of a worker or the amount which he could reasonably be expected to earn; it represents the monthly earnings of an average worker if he did not absent himself on a single working day—a condition which is hardly ever fulfilled."[1]

Therefore, even when one takes into account the fact that usually the whole family is earning, that most of the garden labourers are allowed free housing, and are in many cases granted a piece of land for private cultivation—although the labourer has no tenancy rights in it, and may be evicted without any compensation for the labour he has devoted to rendering it suitable for cultivation—the standard of life of the plantation workers is still miserably poor.

Workers' Organisation Impossible

The peculiar position of the plantation worker, living on the plantation which is the property of his employer and isolated from any other industrial influences, places him in a very weak position to agitate for any improvement in his lot. In the past, rights of way for the public through the plantations have been denied, and thus contact with the labourers has been practically impossible. To-day it is said that access, by day, is rarely denied. But it is observed in the Report of the Royal Commission on Labour in India that the Commission " do not regard as satisfactory the existing position where the workers are largely isolated from outside influence, and any member of the public may be effectively prevented from approaching the workers' lines except with the manager's permission."

This refusal of access to the workers has made impossible any work on their behalf to help them to organise for the improvement of their conditions. On the other hand, from the early days of the plantations the employers have had the advantage of a powerful combination, namely the Indian Tea Association, which, while it has compelled the observance of certain minimum standards by its members, has also " been able to enforce what are known as wage agreements among its members in order to secure, as far as practicable,

teen planters' associations, and nearly all of these are now under one federation, known as the United Planters' Association of Southern India. This Association covers about sixty-three per cent. of the total area under tea, coffee, and rubber in the South. In its memorandum to the Royal Commission on Labour in India the Association states that "wages are generally fixed by district agreements and the amount is dictated by economic considerations and by the supply of labour at the time when it is required."

Chapter XXXIV

INDUSTRIALISM AND FISCAL POLICY

Modern Industrialism

The development of the cotton spinning and weaving industry in Bombay, of the jute industry in Bengal, and of the Indian railway system, were the foundation of modern industrialism in India. In its origin this industrialism was the result of the export from Britain of capital in order to exploit the natural products and cheap labour of the great sub-continent. Only in the case of the cotton industry in Bombay were Indian interests associated with the movement towards industrialisation from its early stages. As time has passed, however, Indian capital has participated more and more. To-day many of the textile mills, coal mines, iron and steel works, are in the hands of Indians and financed by Indian capital.

Village Industries

Indian commercial and middle classes wish to move more quickly than they have in the past towards increased industrialism. Usually, those holding this view also favour the re-establishment of India's village industries, and consider that a policy of industrialism is not inconsistent with giving support to Mahatma Gandhi's movement for the revival of cottage and village crafts.

But they accept the view that machine industry has come into the world to stay, and that a strengthening of

India's industrial position is required if India is to hold her own in an industrialised modern world. It is a first necessity, in their view, that the commercial and fiscal policy of the Government of India should be designed towards this end.

Indian Resentment at Cotton Excise Duties

India is very sensible to the fact that in the past Indian interests alone have too seldom dictated the policy of the Government of India in commercial and fiscal matters. A boycott of British goods on anything like the scale it assumed in 1930, and the early part of 1931, could never have come into being had it not been for the deep and widespread resentment at the manner in which, in the past, Britain had taken advantage of the political connection between the two countries to subordinate India's commercial interests to her own when it suited her.

The imposition and retention, despite all protests, of the Cotton Excise Duty, is the classic instance of this subservience of India's commercial policy to the commercial interests of Britain. In 1894 the Government of India found it necessary for purposes of revenue to impose a five per cent. duty on all imports into India, including, of course, Lancashire cotton goods. An outcry in Lancashire followed. The new policy was looked upon as a blow to Lancashire's vested interest in the profitable Indian market. Eventually, owing to the political connection between Britain and India, Lancashire was able to bring pressure on the Government of India to ensure that the duty had no protective character for the Indian cotton industry. This Lancashire achieved by securing the imposition of a countervailing Excise Duty of the same amount (five per cent.) imposed on all Indian cloth and yarn of a quality above that of twenty counts.

Subsequently, as the result again of pressure from Lancashire on Whitehall, the all-round revenue duty on

imports into India was lowered to three and a half per cent. But Lancashire saw to it that a countervailing duty of three and a half per cent. on Indian-made cotton goods was retained to prevent any protective advantage being given to Indian mill goods. Although Indians had strenuously opposed it from the start, it was not until 1925 that this objectionable Cotton Excise Duty was finally removed.

It should also be noted that while some people in this country complain of the dwindling market for Lancashire cotton goods in India, for which they blame the Indian import duties and the boycott, they forget that for some years British manufacturers have been selling more and more textile machinery to India. The imports of cotton textile machinery into India amounted to 140 lakhs (£1,050,000) in 1930, and 142½ lakhs (£1,061,250) in 1931—all almost entirely from the United Kingdom.

Montagu-Chelmsford Observations

The following passage from the Montagu-Chelmsford Report is worth quoting, as summing up the general feeling in India on the matter of India's commercial and fiscal policy: "The economics of a country which depends to so great an extent as India on agriculture must be unstable. Moreover, though, as recent inquiries have shown, the standard of living among the peasant classes has improved perceptibly of late years, there is still no great margin of taxable capacity. The people are poor; and their poverty raises the question whether the general level of well-being could not be materially raised by the development of industries.

"It is also clear that the lack of outlet for educated youth is a serious misfortune which has contributed not a little in the past to political unrest in Bengal. But perhaps an even greater mischief is the discontent aroused in the minds of those who are jealous for India by seeing

that she is so largely dependent on foreign countries for manufactured goods.

"They noted foreign trade was always growing, but they also saw that its leading feature continued to be the barter of raw materials valued at relatively low prices for imported manufactures, which obviously afforded profits and prosperity to other countries industrially more advanced. Patriotic Indians might well ask themselves why these profits should not accrue to their country; and also why so large a proportion of the industries which flourished in the country was financed by European capital and managed by European skill."[1]

Fiscal Autonomy Recommended by Parliamentary Committee

In 1919 the Joint Select Committee of both Houses of Parliament, appointed to consider certain aspects of the Government of India Bill then before Parliament, recommended the immediate grant of fiscal autonomy to India. "Nothing is more likely to endanger the good relations between India and Great Britain," stated the Joint Committee in their Report, "than a belief that India's fiscal policy is dictated from Whitehall in the interests of the trade of Great Britain. That such a belief exists at the moment there can be no doubt. That there ought to be no room for it in the future is equally clear."

And Accepted by British Government

A Resolution demanding full fiscal autonomy was moved in the Council of State in 1921. In a despatch to the Government of India from the Secretary of State, dated June 30th, 1921, the British Government definitely accepted the principle and, shortly after, it was announced by the Government of India that it was proposed to set up an Indian Fiscal Commission "to

[1] *Montagu-Chelmsford Report*, paragraph 332.

examine the Tariff Policy of the Government of India, including Imperial Preference . . . and to make recommendations."

Also, in accordance with a proposal made by the Joint Select Committee in 1919, the Secretary of State agreed to the establishment of a convention whereby he does not interfere with the enactment of any tariff measure upon which the Government of India and the Indian Legislature are agreed. In suggesting the establishment of such a convention the Joint Select Committee had observed that "whatever the right fiscal policy for India, for the needs of her consumers as well as for her manufacturers, it is quite clear that she should have the same liberty to consider her interests as Great Britain, Australia, New Zealand, Canada and South Africa."

India's Fiscal Commission

The Majority Report of the Indian Fiscal Commission recommended that India's fiscal policy should be one of discriminating protection, the selection of the industries where protection should be applied and the determination of the form the protection should take, it recommended, should be left to a Tariff Board, which was to be appointed to investigate the claims of particular industries to protection and to watch the effects of the duties which should be imposed. On July 10th, 1923, the Legislative Assembly passed a Resolution appointing a Tariff Board in accordance with the recommendations of the Fiscal Commission and adopting a policy of discriminating protection.

Import Duties

Duties on imports into India are mostly of a revenue character and range from fifteen per cent. to thirty per cent. and more. When the League of Nations Memorandum on Tariff Indices was prepared in 1927, the

average percentage of duties imposed on values of the manufactured goods imported was sixteen in India as compared with twenty-five for Canada and twenty-seven for Australia. At present there is no direct preference given to British goods, except in certain specific iron and steel imports and, since 1930, in certain cotton goods.

Chapter XXXV

FACTORY POPULATION

Industry in India supports only ten per cent. of the population. Yet although only a small part of the whole, on account of the vastness of India's total population, the numbers engaged in industrial pursuits are sufficiently large to place India among the great industrial countries of the world.

Of the ten per cent. in India supported by industry, a large proportion is engaged in village industries. Organised industry, such as we know it in the West, occupies only one per cent. of the Indian people. But even this one per cent. constitutes a very considerable population.

Types of Factories

Factories in India falling within the scope of the Indian Factories Act may be divided into three types. There are those which have been styled perennial factories, such as the cotton and jute spinning and weaving mills, and the engineering and metal works. There are the purely seasonal factories, such as the cotton ginning and the cotton and jute pressing factories, and some of the tea factories. Lastly, there are the partially seasonal factories, such as the rice and the oil mills, and the sugar and tobacco factories.

The factory population of the perennial factories numbered in 1929 approximately a million and a quarter workers. The majority of these million and a quarter workers are employed in one or other of the three main

factory industries: the cotton spinning and weaving mills, the jute spinning and weaving mills, and the engineering and metal works. The remaining perennial factories, which employ about a quarter of a million persons, are scattered over a large number of industries.

Cotton

From the beginning Bombay has dominated the cotton textile industry. Of the 338,000 persons employed in the industry 232,000 are employed in mills either in Bombay City and Island or in the Bombay Presidency. The remaining cotton mill areas in India, employing about 106,000 workers, are distributed over many Provinces and towns. Most important amongst these are Madras City, Madura and Coimbatore in the Madras Presidency, Nagpur in the Central Provinces, Cawnpore in the United Provinces, and the vicinity of Calcutta.

In Bombay Presidency the cotton textile industry is for the most part in Indian hands. Englishmen, drawn mainly from Lancashire, are often employed in the industry as managers or heads of departments, although there are now many mills where the whole of the managing staff is Indian. Outside Bombay Presidency the cotton mills are either in the hands of Europeans or of Hindus.

Jute

The jute spinning and weaving industry in India is practically confined to a single locality. Except for five jute mills outside Bengal Presidency, all the jute mills in India lie in a strip of country about sixty miles long and two miles broad, along both banks of the Hooghly above and below Calcutta. In this strip of country there are no less than ninety mills, employing all except a few of the 347,000 workers employed in the jute industry in India.

Engineering

The third important group of factories which are perennial in type, namely the engineering and metal works, are far less concentrated geographically than the cotton or the jute industry. Of the engineering works in India, the most important class consists of the railway workshops. These employ 136,000 workers, mainly in repair and maintenance work, although some of the principal works are also engaged in making new rolling stock. For obvious reasons, these workshops are scattered over an area as wide as the Indian railway system. About half of these workshops are managed directly by the State, which is thus responsible for the employment of over 78,000 railway workshop employees.

In addition to the railway workshops in India there are a number of general engineering shops, and in recent years there has been a steadily expanding field of employment in electrical engineering and generating works.

Tata's

Of those engaged in the metal industry by far the most important concentration is at the famous Tata Iron and Steel Company's Works at Jamshedpur in Bihar, about a hundred and fifty miles west of Calcutta. This great metal plant—the only steel manufacturing centre in India—stands on what only a short time ago was uninhabited jungle. It was founded with Indian capital in 1907 by the sons of Mr. Jamshetetji Tata, the grand old Parsee pioneer of modern industrialism in India. At his own expense he brought over American and European experts to undertake survey work in Bengal and Bihar, with the object of investigating the possibilities of establishing iron and steel works on a large scale in India, and utilising the latest methods. Finally, the site, which was later called "Jamshedpur" in honour of Mr. Jamshetetji

Tata, was chosen for its proximity to the sources of raw material—the coal at Jherria and the dolomite for flux at a place only a little way distant. To-day, what was so short a time ago rough jungle is covered by a great modern iron and steel plant employing some 28,000 workers; and in what was formerly a wild corner of Bihar has grown up a township of a hundred thousand inhabitants.

Two other metal workshops are sufficiently important to mention: the Bengal Iron and Steel Company's works near Raniganj, and the Government of India Army Department's establishment at Ishapore, north of Calcutta. In addition, the manufacture of kerosene tins employs an increasing number of persons in or near the great presidency towns of Calcutta, Bombay and Madras. Altogether, the engineering and metal industries provide employment for 315,000 employees.

Other Factories

The remaining perennial factories cover a wide and increasing range of industries, scattered over the whole of India, and give employment to another quarter of a million workers. They include paper mills, cigarette factories, petroleum refineries, woollen mills, tanneries, match factories and saw-mills. The largest single industry in this group is the printing industry, which, excluding the small establishments working hand presses, employs 38,000 persons and 360 presses.

Concentration of Workers

A striking feature of the distribution of India's industrial population is that more than half of those employed in perennial factories are concentrated in two small areas, namely up the Hooghly, where the factory population is well over 450,000, and in Bombay City and Island, where it numbers 190,000.

The next largest concentration is at Ahmedabad, in Bombay Presidency. Other centres are Madras, Cawnpore, Jamshedpur and Rangoon. A few large factories, and many small ones, are to be found at Delhi, Lahore, Lucknow and Nagpur. The cotton mills in Sholapur, Madura and Coimbatore provide employment for small but important industrial populations.

Factory Workers Remain Villagers

The chief difference between the factory population in India and that in the West is that in the West the worker is or becomes urbanised, whereas in India he is and remains a villager. Factory workers in the West are drawn mainly from persons brought up in towns, and partly from persons who, although they have come from country districts, have definitely abandoned the country for the towns. But in India the factory workers are nearly all migrants from the country, and their migration to the towns they look upon as a temporary transfer. The recruit to industry in India continues to regard as his home the place from which he has come. At heart he is still a villager. In most cases he has had a village upbringing and has village traditions. Moreover, he retains some contact with his village home. With some this contact is close and constant, with others it is slender or spasmodic, and with a few it is, perhaps, more an inspiration than a reality. Many workers in the industrial towns leave their wives in the country. Of the wives who come to the towns, all who can do so return to the village for their confinement.

Imported Labour

Bombay's labour supply comes mainly from two sources; by sea from Ratnagiri, which is a district to the south of Bombay where pressure on the land is very

great, and by land from the Deccan districts of Bombay Presidency, especially Ahmednagar, Poona and Sholapur. In recent years, however, Bombay has increasingly drawn its labour from more distant areas, particularly from the United Provinces.

The other chief industrial area, on the Hooghly in Bengal, although surrounded by heavily populated districts, does not draw the bulk of its labour supply from them but mainly from the Province of Bihar and from the United Provinces, three hundred to five hundred miles away.

Some mills to the south of Calcutta employ Bengali labour. But to the north of the city in most of the mills the proportion of Bengalis is small, and there are large townships of immigrants. In the past Bengalis have shown less inclination to factory work than have people of other Indian districts, and it was for this reason, and because when the industries of the Hooghly were built up the terms they offered were so poor, that these industries were led to depend on recruits from the up-country areas.

Wages

The average wage of the cotton textile factory worker in Bombay City is about £2 10s. per month or less. In the cotton mills at Ahmedabad and Sholapur in Bombay Presidency the average wage is appreciably less. In the cotton mills in Madras the average wage is only half that paid in Bombay city. And in the mills in Cawnpore, in the United Provinces, things are little better than they are in Madras.

The wages paid in the jute mills in Bengal are even lower than those in the Bombay cotton mills, ranging from £2 10s. per month for a worker in the sacking weaving department down to 20s. per month for a worker in the batching department.

In the engineering and metal trades wages are somewhat higher than they are in the cotton and jute mills. They are highest in Bombay City and Ahmedabad, and lowest in Madras, Bengal, Bihar and the United Provinces. The average wages ruling in these trades in the Central Provinces, Burma, the Punjab and Delhi, lie midway between these two extremes.

As has been pointed out, in addition to the million and a quarter workers in India employed in the perennial factories, another 135,000 are employed in factories which are partially seasonal, and nearly 252,000 in factories which are wholly seasonal.

Seasonal Factories

Of the group of factories which are partially seasonal in working, those engaged in rice milling are the most important. Although rice milling is carried on in both Madras and Bengal, the main concentration of the industry is in Burma, particularly in Rangoon. In Burma rice milling forms the main factory industry, there being over six hundred rice mills there, employing more than 39,000 workers. Most of the workers in the Burma rice mills are Indian immigrants, drawn very largely from Madras Presidency.

Other partially seasonal factories are the gur and sugar factories, the tobacco factories, the flour mills, the tile and brick factories, and the ice and aerated water factories.

There are left those factories which are only seasonal. The main feature of most of the industries in this group is that the workers are still essentially agriculturalists, and the great majority live in their village homes. The degree of skill required is not very great and the proportion of women employed is fairly large. The factories are not concentrated, but are scattered over the areas producing the crops with which they deal. The

workers are generally quite unorganised and wages tend to be low. The factory population employed in these wholly seasonal factories is distributed between the cotton ginning and pressing factories (139,000 workers), the tea factories on the estates in Assam and Madras (63,000 workers), the jute pressing factories in the jute areas of Bengal (37,000 workers), and factories engaged in the indigo, coffee, rubber, and ground-nut trades.

Chapter XXXVI

RAILWAYS AND MINES

Railways

The railway administrations are the largest single employers of organised labour in India. The total route mileage of the Indian railways at March 31st, 1932, was 42,687 miles.[1] This is a system longer than that in any country other than the United States of America. About 800,000 persons are employed on the Indian railways.

The railways are divided into three classes, namely Class I, in which the gross earnings reach Rs. 50 lakhs in a year; Class II, in which they are less than that amount and more than Rs. 10 lakhs; and Class III, in which they are not more than Rs. 10 lakhs. Of the total route mileage of 42,687 miles of Indian railway, 37,000 miles belong to railways included in Class I.

State Ownership

The control of this great railway system is divided between the State and a number of private companies. Some of the private companies are controlled by Boards of Directors in London, whilst others are Indian controlled. At present nearly 75 per cent. of the total route mileage of the railways is owned by the State, and 45 per cent. is not only owned but directly managed by the State. On March 31st, 1930, no less than 56 per cent. of the Indian railway workers belonged to the State-managed railways.

[1] *Hansard*, Vol. 265, No. 85, Col. 792.

Indian Railway Board

Control of the State-managed railways, and the co-ordination of management of the company-managed railways, are effected through the Indian Railway Board. This was first formed in 1905. It now consists of five members, one member being appointed to deal especially with questions of staff in general and labour in particular. This Railway Board is directly responsible to the Government of India for the administration of the railways managed by the State, and has complete administrative authority over the general managers and agents of these railways.

In the case of the other railways—that is those owned by the State but company managed, or those both owned and managed by private companies—the Railway Board may suggest reforms and improvements, but is not in a position to enforce its policy. The responsibilities of this public body are very great and it is to be deplored that not one of the five persons appointed to the Board by the Government of India is an Indian.

Racial Discrimination

There are a little less than 5,000 Europeans and about 14,000 Anglo-Indians employed on the railways. But hitherto these two communities have monopolised the greater proportion of the higher-grade and middle-grade posts. In the past an undisguised preference has been shown by the railway administrations for Europeans and Anglo-Indians in filling the better-paid jobs. While these two communities form a very small proportion of the total number of employees on the railways, they fill no less than 7,366 out of the 11,303 higher- and middle-grade railway appointments.

This system of racial discrimination not unnaturally has caused deep resentment amongst Indians. The

Government of India's policy is now declared to be one of the elimination of racial discrimination in the filling of railway appointments. But, through the evil policy in which it acquiesced in the past, vested interests on the part of the European and Anglo-Indian communities have been created in the better-paid grades of the railway, and a modification of the position presents no easy problem.

Railway Wages

Excluding the clerical side, the average pay of the subordinate railway staff for September 1929—to take a sample month—came to a little less than 45s. for the month. How unsatisfactory are conditions amongst the lower subordinate staff may be gathered from the fact that on March 31st, 1930, out of 750,900 employees on the twelve Class I railways, 408,000, or 54 per cent. were in receipt of less than 30s. a month.

In addition to cash earnings there are certain perquisites, such as free quarters, uniforms, concessions with regard to travel, and medical and educational services; and on practically all the railways provision is made for provident funds. But those whose cash earnings are lowest would seem to benefit least from these concessions and advantages. No provision is made for workers drawing less than 20s. a month to join any of the railway provident funds, and an analysis of the present membership of the provident fund schemes shows that only 3 per cent. of those drawing less than 30s. a month are members.

India's Mineral Resources

Although at present India does not loom very large amongst the mineral producers of the world, her mineral resources are great. In his Report on the Mineral Resources of India in 1908, Mr. T. H. Holland wrote:

"The high quality of the native-made iron, the early anticipation of the processes now employed in Europe for the manufacture of high-class steels, and the artistic products in copper and brass, gave India at one time a prominent position in the metallurgical world, while as a chief source of nitre she held a position of peculiar political importance until, less than forty years ago, the chemical manufacturer of Europe found among his by-products cheaper and more effective compounds for the manufacture of explosives."

To-day in India (excluding Burma) the chief mineral products are coal, manganese ore, gold, salt, iron ore, mica, saltpetre, and monazite, which contains a product used in the production of incandescent gas mantles, and various rare earths.

The mineral production of Burma consists of petroleum, lead, silver, copper, zinc, wolfram and rubies.

Practically all the gold produced in India comes from mines in the Indian States of Mysore and Hyderabad. In British India (excluding Burma) coal mining accounts for two-thirds of all the employees in mines. Apart from stone quarrying, the mining of manganese and mica are the only two mining industries employing as many as 10,000 persons.

Mines

The average daily number of persons employed in and about the mines in India in 1930 was 261,667, of whom 204,754 were men and 56,913 were women. The number of adult women working underground in mines in India in 1930 was given in the House of Commons on November 23rd, 1931, as 18,684. Of these women, 11,376 were engaged underground in the coal mines in Bihar and Orissa, 6,128 in the coal mines in Bengal, and 783 in the coal mines in the Central Provinces, while 397 were employed in the salt mines of the Punjab.

Out of the 261,667 persons employed in the mining industry in India, 165,658 are employed in coal mining. Most of India's coal is concentrated in a belt stretching across the centre of India, through Bengal, Bihar and Orissa, Central India, and Central Provinces.

The earliest of these deposits to be worked on any scale were those at Raniganj, about a hundred and sixty miles north-west of Calcutta, in Bengal. As the belt was worked westwards, the Jharia and the Bekaro coalfields were opened up. To-day these three fields, which lie in a narrow strip from Raniganj in Bengal westwards for about a hundred miles into Bihar and Orissa, produce 90 per cent. of the total coal output of India.

The coalfield at Giridih, fifty miles north of Jharia, and the coalfield which is being expanded at Karanpura to the East, are the only two other coalfields of first importance. The requirements of the railways, and later the development of factory industry using power, provided the incentive to the exploitation of these coal resources. In India coal is not used for domestic heating purposes to any extent, wood and dung cakes being the usual domestic fuel.

Mine Workers

The main coalfields lie in or near to areas inhabited by backward or aboriginal tribes. In recruiting labour for the coal mines, it was this aboriginal population which was first drawn upon, and they still form the bulk of those employed at the mine. Non-aboriginal workers, however, now form an increasing proportion of the coal miners. These non-aboriginal workers come from areas many miles distant from the mines, and although, like the perennial factory workers, they remain agriculturists at heart and maintain contact with their villages, they do not continue to work on the land after coming to the coalfields. On the other hand the aboriginal workers,

who still predominate, remain agriculturists wherever their permanent home may be, and either devote part of their time to working lands within the coalfields, or return to their villages in the neighbouring districts for the same purpose.

Women in Mines

A striking feature of the labour force in the Indian coalfields is the large number of women employed, not only on the surface but underground. These women workers are employed largely for loading the hewn coal in the underground workings.

Power to make regulations for the prohibition of the employment of women underground was given by the Indian Mines Act of 1901, and was renewed in 1923. But it was not exercised until 1929, when, after much delay, the Government of India made the present regulations, designed to secure the exclusion of all women from employment underground by July 1st, 1931.

These regulations provide for the prohibition forthwith of the employment of women underground in all except the so-called " exempted mines." The exempted mines are the coal mines in Bengal, Bihar and Orissa, and the Central Provinces, and the salt mines in the Punjab. All the women working underground, except for 3,000 women employed underground in the mica mines, are working in these " exempted mines "! The regulations provide that in these " exempted mines " the exclusion of women employed underground shall be gradual. Employment of women underground subsequent to July 1st, 1929, is limited to a percentage of the total underground labour force, 29 per cent. in the coal mines and 40 per cent. in the salt mines. And it is provided that these percentages are to be reduced by 3 per cent. and 4 per cent. respectively each year, so that after

July 1st, 1939, women will be entirely excluded from underground workings.

Accidents in Coal Mines

It is a distressing fact that the proportion of accidents in the Indian coal mines has shown no marked or regular decline in recent years. Indeed, in the last few years the proportion of accidents has appreciably increased.

The number of accidents per 100,000 persons employed was 165 in 1919, 132 in 1923, 215 in 1925, and 227 in 1928. In 1929 there was a slight improvement, when the number of accidents per 100,000 persons employed was 269.

The deeper mining, which is necessitated by the gradual exhaustion of the easier coal-seams, increases the risk of accidents from the falling in of roofs or sides of the underground workings, and from other causes. At the same time, the Royal Commission on Labour in India remarked in their Report, ". . . we think that the presence in the mines of excessive numbers at certain periods also increases the accident rate, and that a better level of individual output, with shorter hours, better-disciplined working, and better health among the workers, will tend to lessen the incidence."[1]

System of Working

Practically all the workers in the coal mines are paid on a system of piece-work, so much per tub. Remuneration, therefore, depends on the number of tubs that can be filled. But there are causes lying outside the worker's control, such as a deficiency of empty tubs, difficult working places, mechanical break-downs, etc., which may prevent him from securing an adequate day's wage, even judged by the low standards ruling in the industry.

[1] *The Report of the Royal Commission on Labour in India*, p. 130.

Most of the coal output from Indian mines is obtained by labour engaged not directly under the managers of the mines, but under raising contractors. A contractor receives a fixed payment per ton, in return for which he recruits the workers, arranges for the mining of the coal, and the loading of it into wagons. This is, from the mine-owners', and certainly from the workers' point of view, a most unsatisfactory system, lending itself to serious abuses. For while it is the manager of the mine who is responsible in law for the safety of the workmen in the mine, under the contract system a manager has ordinarily no determining voice in the selection of the workers, the distribution of their work, the payment of their wages, or even in arranging the numbers to be employed in his mine.

Irregular Attendance

The chief trouble from which the Indian coal-mining industry suffers is irregularity in the attendance of the workers. But the whole system of employment and management obtaining to-day in the mines seems calculated to aggravate rather than correct this trouble.

A typical example of this is given in the Labour Commission's Report. They point out that although in most of the coal mines Sunday is a rest day, "it is a common practice in the Jharia field, if not elsewhere," to pay wages on that day. In some mines payment is a lengthy process, and the last miners are not paid until the afternoon. Yet these men may have before them many miles' walk to their villages. Most of their rest day is thus wasted, and the inevitable consequence is that on Monday when the mine reopens absentees are many.

In addition to the 165,658 persons employed in the coal mines in British India, 27,243 are employed in the manganese ore mines, 16,555 in the mica mines, and

60,000 in other mines. This last figure includes some 1,600 persons employed in the rock salt mines in the Punjab, and 17,000 workers employed by the Burma Oil Company in their important petroleum fields. An important mining population is also employed in the lead and silver mines in Burma.

which relate to or affect labour are Central and others are Provincial. Matters relating to labour in the mines, on the railways, in all the chief ports and on sea-going ships, are subjects of Central administration. On the other hand, matters relating to factories, plantations, public works and inland steam vessels are subjects of Provincial administration.

The Central Legislature, however, is able to legislate in respect of practically all labour subjects, and it may be noted that the Factories Act of 1922, the Mines Act of 1923 with the amending Act of 1928, the Workmen's Compensation Act of 1923, the Trades Disputes Act of 1929, and the repeal of the Workmen's Breach of Contract Act, were all the work of the Central Legislature.

International Labour Conventions

Since 1920, and until recently, the Government of India had shown itself generally sympathetic towards labour legislation, and it ratified many of the International Labour Conventions. The carrying out of these Conventions, however, as is the case with labour legislation in general, is far from ensured, owing to the utterly inadequate number of factory inspectors, particularly of women inspectors, on the one hand, and the ignorance and intimidation of the Indian worker on the other.

Inadequate Inspection

Such inspection as exists is often, I have been assured, a farce—inspectors rarely visiting a factory more than once in a year, and then winking at irregularities. As an example: it was reported that in Calcutta several jute factories were violating the provisions regarding hours of work, but that this fact was being ignored by the Chief Inspector of Factories, although brought to his notice by the secretary of the trade union.

An Actual Case

I myself went through a large British jute mill near Calcutta. In a great room packed with machines all in action the air was filled with dust to such an extent that speaking, and even breathing, was difficult. Between two machines I nearly tripped over what seemed to be a bundle of rags. On bending down I found a small baby less than a year old! I asked the manager who was conducting us round if that was allowed. He replied that it was not, but that they preferred not to notice it, as unless they were allowed to bring their infants with them many of the women might not come to work.

Accidents in Factories

The number of reported accidents in factories has steadily increased of late years. The total number of accidents was 6,960 in 1922, 12,645 in 1925, 16,348 in 1928, and in 1929 jumped to 20,208.

This means that 512 persons were injured for every 100,000 employed in Indian factories in 1922, 846 for every 100,000 employed in 1925, 1,075 for every 100,000 employed in 1928, and 1,301 for every 100,000 employed in 1929.

But while the total number of accidents shows such an alarming increase, those that were fatal increased only from 14 per 100,000 persons employed in 1922 to 15 per 100,000 persons employed in 1929; or in the aggregate from 191 deaths in 1922 to 240 deaths in 1929.

Without doubt, the increase in the total number of accidents reflects the increase in risk due to speeding up in Indian factories, and to the complexity of the machinery employed. At the same time, the increase in the number of minor injuries, out of all proportion as it is to the number of fatal accidents, may be more apparent

than real. It may be accounted for, to some extent, by more accurate recording of the less serious cases.

But in any event the number of accidents as indicated by these figures is far too high, and shows the necessity for more rigorous factory inspection.

Intimidation

So far as intimidation is concerned, it is unfortunately the case that it is encouraged by the legislation as it at present stands. In this connection Workmen's Compensation may be cited. A worker has to apply to his employer for compensation in the first instance. Should he fail to obtain satisfaction, he must then apply to the Commissioner under Workmen's Compensation. From this it arises that men will not press their claims for fear of losing their jobs.

That they are very often ignorant of the very existence of a Workmen's Compensation Act is proved by the fact that I found in addressing the Port Trust employees in Madras that they had no knowledge of the existence of the Act, even after it had been in operation for nearly two years. Yet Madras is amongst the most progressive towns, from the point of view of organised labour, and it was there that Trade Unionism in India first started.

Chapter XXXVIII

UNREGULATED FACTORIES

Bad as conditions are in those factories coming within the scope of the Factories Act, the conditions in the unregulated factories are far worse. The workers in these factories, either because the factories use no power or because they employ less than twenty persons, do not enjoy the protection of the provisions of the Indian Factories Act. The most serious abuses are found in factories of the first type. In these, while no power is used, any number of workers may be employed, even as many as seven or eight hundred.

Insanitary Buildings

The characteristic features of these factories, the Labour Commission noted, were the "unsuitability or dilapidated nature of the type of building used, the absence of adequate sanitation, poor lighting, deficient ventilation, overcrowding, long hours and, above all, a preponderance in certain cases of the labour of under-age children, i.e. children well below the regulation age for such workers in factories coming under the Factories Act." The Commission observed that "in these industries, which are of varying sizes, some localised, and others widely distributed throughout India, visits paid by us confirm the evidence submitted from various quarters as to the main defects."[1]

Typical of this class of employment is the wool-cleaning

[1] *Report of the Royal Commission on Labour in India*, p. 94.

industry, which is mainly carried on in the Punjab, the manufacture of shellac in Bihar and Orissa, the carpet factories in Amritsar, and such widely spread industries as the tanning industry and the cigarette or "bidi" making.

Insanitary Conditions

In the wool-cleaning industry not only women but children from eight years of age are employed. They are usually seated on the earth floor of open yards to which the loosely baled wool is brought. The initial process consists of tearing or beating out with the hands and with iron rods lumps of dry mud, coagulated blood and other extraneous matter from the unsorted wool.

The Labour Commission noted that this was a foul process and, as no system of grids to remove the accumulated dust was provided, the air became filled and the worker and the ground around quickly became covered with powdered dirt and wool fluff. Very young children sleep alongside their mothers on piles of wool, their faces and clothes covered with a fine layer of this germ-laden dust. The hours worked in this vitiated atmosphere are often very long.

Another industry which falls mostly outside the scope of the Indian Factories Act is the shellac manufacturing industry, which is carried on in Bihar and Orissa and to a less extent in the Central Provinces. In Bihar and Orissa normally some four thousand persons are employed in a hundred and twenty-seven factories. Only fifteen of these factories come under the Factories Act. In the Central Provinces the industry employs about two thousand workers who were distributed in 1929 in twenty-two factories, none of which came under the Act.

Lack of Drainage

The industry is carried on, the Labour Commission pointed out, in unsatisfactory buildings with leaking

roofs and earth floors. Poor lighting and ventilation and almost universal absence of any washing and sanitary arrangements are characteristic, although the bad smell created by the nature of the industry and the dirtiness of the manufacturing processes would seem to make these particularly necessary. But the Commission said that the greatest deficiency was to be found in the lack, both in and around the factory, of drainage for drawing off the water in which the lac is washed. It quoted the result of a recent investigation of these factories undertaken by the Director of Public Health in the Central Provinces. "Washing-pits, reservoirs and drains," he reported, "are not properly cleaned at regular intervals. Some water is used for washing over and over again for a week or more and is allowed to stagnate for a period before it is drained off. Due to putrefaction of all the animal refuse from the stick lac, along with myriads of crushed insects in this water, the stinking effluvia from washing-basins and drains are disgusting. But the persons employed on washing have to stand knee deep in this water in the pits and carry on their work for hours together."

While men are engaged in the washing-pits, and in melting and stretching, women are engaged in the other processes. Women workers form thirty per cent. of the labour force and children some ten per cent., and the latter are "largely to be found inside the stove room which, in the opinion of the Director of Public Health of the Central Provinces, cannot but be harmful to them on account of the excessive heat."[1]

Child Labour

The necessity for dealing with the problem of child labour is even more important in the bidi (the indigenous cigarette manufacturing) industry, which is widely spread through the country. The Labour Commission reported

[1] *Report of the Royal Commission on Labour in India*, p. 95.

that every type of building was used, but small workshops preponderated and it was there that the graver problems mainly arose. " Many of these places are small airless boxes, often without any windows, where the workers are crowded so thickly on the ground that there is barely room to squeeze between them. Others are dark semi-basements with damp mud floors unsuitable for manufacturing processes, particularly in an industry where workers sit or squat on the floor throughout the working day. . . . Payment is almost universally made by piece-rates, the hours are frequently unregulated by the employers, and many small workshops are open day and night. . . . Regular intervals for meals and weekly holidays are generally non-existent."[1]

Corporal Punishment

In many cities in India large numbers of young boys are employed in the bidi factories for long hours. Discipline is strict and the Labour Commission observed " there is reason to believe that corporal punishment and other disciplinary measures of a reprehensible kind are sometimes resorted to in the case of the smaller children." They said that " workers as young as five years of age may be found in some of these places, working without adequate meal intervals or weekly rest days, and often for ten or twelve hours daily, for sums as low as two annas (threepence) in the case of those of tenderest years. This recalls some of the worst features of child apprenticeship in England at the time of the agitation prior to the passing of the first Factory Act, particularly when it is realised that many of the parents of these child workers are in debt to the employer. As a result they are not in a position to inquire too closely into the treatment meted out to their children or to do other than return an absconding child."

[1] *The Report of the Royal Commission on Labour*, p. 96.

Abuses in Carpet Factories

The abuses in the carpet factories, especially those in the Amritsar district of the Punjab, are equally serious. In these factories at Amritsar the children are not employed directly by the factory owner, but by the weaving masters. The weaving masters are paid so much per carpet according to its size, quality and design, and from this amount pay those they employ. No limit is set to the hours which can be worked by the children in the industry. Usually, boys start at nine years of age though sometimes it may be as low as six years.

Contracts for Children

These boys are commonly the children of men who in return for a loan of money from the weaving master have contracted out the labour of their children at so many rupees (7, 9, etc., according to the age of the child, per month). " The duration of the contract, which is sometimes set out in a formal document," the Labour Commission reported, " would appear to be determined by the repayment of the loan. It is not without significance that one witness who was managing director of a leading carpet manufacturing firm, declared, when shown such a document, found by us on his own premises and drawn up only a few weeks previously, that that was the first time he had ever heard of the existence of written contracts of the kind, excusing his ignorance on the ground that he ' had nothing to do with the children ' and dealt only with master weavers. Yet, on his own admission, in this industry, two of the four persons on the normal-sized loom are generally children under twelve years, the remaining two being a boy over fourteen years and the master weaver himself. It was clear to us from the evidence," the Commission continued, " that these children were in the position of being obliged to work

any number of hours per day required of them by their masters. They were without protection of the law as regards their physical fitness to labour, the number of hours they might be required to work without any interval, or, indeed, any of the other more elementary protection afforded by the Factories Act in respect of child workers, and they were subjected in some cases to corporal punishment. Yet the bulk of such children were two to five years below the statutory working age in respect of child workers employed in factories under the Act."

That such conditions can still exist is shocking, and it is unnecessary to stress the urgent need of official regulation.

Tanning Industry

Another industry in which many of the factories remain outside the scope of the Indian Factories Act is the tanning industry. Since the handling of skins is obnoxious to most castes in India, most of the workers in this industry come from the Depressed Classes. Referring to the unregulated tanneries which are to be found on the outskirts of most of the chief industrial cities in India, the Labour Commission observed that " in every case . . . we were struck by the lack of adequate sanitary arrangements which make the bulk of such places even more offensive than is inevitable from the nature of the industry. Adequate drainage was absent, and often the whole earth floor space spread over a wide area, littered with pools of filthy water. There were no washing arrangements and in the majority of cases no latrine accommodation. In a number of instances the workers had no alternative but to eat the food they had brought with them in the midst of such surroundings. Hours were long, often twelve and sometimes in excess of twelve and, whereas few women were employed, in

the Madras Presidency children of from eight to twelve years, as well as older boys, we found at work in the vats and elsewhere. Their hours sometimes exceeded those of the adults owing to the necessity of performing certain additional tasks, such as water-carrying, vat-filling, etc., for which they receive no additional cash wages but merely two *dhotis* a year."

Statutory Protection Essential

In the face of these conditions it is not surprising that the Commission considered that the statutory protection of the workers in this industry was essential especially, as they pointed out, because the class of worker employed from long social tradition is peculiarly powerless to help himself.

Referring to the employment of child workers, which is typical of these unregulated industries, the Labour Commission pointed out that the parents belonged to a class wholly illiterate, exceedingly poor, and only too often heavily indebted. "It is inevitable that to these the child's right to its childhood, and even to such education as may be available, should make no appeal comparable to that of its earning capacity, however small. There would appear in their case," they concluded, "as in that of the employers, no course open but that of compulsion by means of legislation so framed and so applied as to achieve the necessary end with the minimum of dislocation and hardship."

The existence of these conditions does not reflect credit on Indian society, neither is it a testimonial to British rule that such conditions still persist—and that until now no attempt has been made to prevent them by legislative enactment.

Chapter XXXIX

TRADE UNIONS

Beginnings

The trade union and labour movement in India is still in its infancy. Its history goes back scarcely fourteen years, to the period immediately after the Great War. The Printers' Union in Calcutta, now known as the Press Employees' Association, claims to have been founded as far back as 1905. The Postal Workers, also, in Bombay and certain district towns, had some organisation in existence from 1906. But the real beginning of the trade union movement in India dates from the year 1918. In that year the millworkers in the Buckingham and Carnatic textile mills in Madras City formed the Madras Labour Union. The two following years saw rapid progress, many unions springing up in different centres and catering for employees in many different branches of industry.

During the two or three years immediately following the end of the Great War circumstances favoured the growth of the movement. It was a period of steadily rising prices, of phenomenal profits, and of wages which failed to keep pace with the rise in prices. While the employers were enjoying a boom period, the workers found their conditions even harder than before. The natural unrest that followed found expression in numerous strikes, many of which were successful.

The formation of most of the unions either immediately

preceded or immediately succeeded these strikes. In these years the rising tide of labour consciousness in the world outside had its influence in India. The workers grew alive to the wretchedness of their conditions and to the effectiveness of combination as a means to improving these conditions.

Necessity for Workers' Organisations

An important factor which helped considerably the development of the movement was the establishment of the International Labour Office at Geneva and the institution of the International Labour Conference, the first session of which was held at Washington in 1919. The advent of this International Labour Organisation for the first time made it necessary for the Government and the employers in India to come before the bar of world opinion, to defend conditions in Indian factories, mines, and other industrial establishments. They found themselves compelled either to justify conditions which had made the East the sweat-shop of the world, or to agree to put an end to these disgraceful conditions. The creation of the International Labour Office, therefore, lent encouragement to those engaged in bettering conditions of labour in India. It gave an impetus to labour organisation and also had an important unifying effect on the movement.

According to the constitution of the International Labour Conference, the workers' and the employers' delegates, and their advisers, are nominated by the Government on the recommendation of the organisations of the workers and employers respectively. It followed that in order to secure the best representation of the workers, some system of central organisation was necessary, and, as a result, the All-India Trade Union Congress came into being.

All-India Trade Union Congress

The All-India Trade Union Congress was founded in 1920. Its purpose was to co-ordinate the work of the trade union movement, provide a meeting-ground for those engaged in the organisation of the workers in India, and a platform for the enunciation of labour policy. It also provided a link between trade unionism in India and the trade union and labour movement elsewhere. The All-India Trade Union Congress continued to serve this purpose until 1929. In that year, owing to its capture by a group with a fundamentally different outlook on labour organisation from that of those who had founded and built up the movement, secession took place. Leaders such as Mr. N. M. Joshi, Diwan Chaman Lal, Mr. B. Shiva Rao, Mr. V. V. Giri, together with a majority of the unions, broke away and founded a second body, called the All-India Trade Union Federation.

Organising Trade Unions

Despite many special difficulties, trade unionism made steady progress. One of the difficulties was the opposition by employers to the participation of " outsiders " in the work of labour organisation.

The poverty and illiteracy of the masses in India will necessitate for some years, in the work of organisation, the assistance of persons from outside. The " interference " of these " outsiders " was in the first years of the movement hotly contested by employers and even by the Government of India until 1920. In that year the Government recognised the right of its own employees to engage " outsiders." However, many employers still refused, and some refuse to-day, to accept this principle. They decline to recognise and to deal with a trade union the officials of which are not their own employees.

In this connection the Royal Commission on Labour in India, in their Report, referring to the short-sightedness and unwisdom of this attitude on the part of some employers, observes: "We have referred to the great difficulties confronting the (trade union) movement, which make the employment of a proportion of outsiders inevitable. In some cases victimisation, and more frequently the fear of it, gives additional value to the outsider. The claim to be allowed to deal only with 'one's own men' is frequently little more than an endeavour to secure that the case of the men shall be presented by persons who are not likely to prove assertive."[1]

Indian Trade Unions Act, 1926

The principle of the participation of "outsiders" in the organisation of trade unions in India was given legislative recognition by the Indian Trade Unions Act of 1926. The Act accepted the right of registered unions to employ persons who were not drawn from among the employees. This legislative recognition has had some effect in the last few years of diminishing the objection of employers to the principle of workers having the assistance of persons from outside in their efforts to organise.

But the trade union movement still has to contend with the attempts of certain employers to object to the participation of *particular* "outsiders" on one score or another, either on account of their being ex-employees, or because they are "politicians."

The Labour Commission rightly points out that this matter of personnel is mainly a question for the unions themselves, and that the employer, "however pure his motives, is in a weak position when he attempts to protect his workmen by keeping their leader at arm's length." "The leader who is not honestly working for

[1] *Report of the Royal Commission on Labour in India*, 1931, p. 374-5.

the good of a union," it continues, " is not likely to have a long innings, unless he is assisted by persecution."[1]

When in 1913 the Indian Penal Code was revised, to bring it into line with English common law, no account was taken of the modification made in this country in 1906 providing protection for those engaged in trade union activities. In consequence anyone participating in the ordinary activities of a trade union in India until the passing of the Indian Trade Unions Act of 1926 was open to criminal prosecution under Indian law. Following a suit against the leaders of the Madras Labour Union in 1920, the Indian Legislative Assembly passed a resolution in favour of legislation for the registration and protection of trade unions. But coupled with this resolution was a stipulation that five years should elapse before a law was passed. Hence it was not until 1926 that protective legislation was eventually put on the Statute Book; and it was not until June 1927 that this Indian Trade Unions Act came into force, making legal the activities of trade unions in India.

Unregistered Trade Unions

Even this Act differed in certain important particulars from British and Dominion legislation on the subject. The protection it afforded, along with the other provisions of the Act, was confined to those unions which sought registration under the Act. Those unions which did not register, or which for one reason or another were not able to register according to the provisions of the Act, were still legally open to prosecution. However, despite these important deficiencies, the passing of the Act had a markedly beneficial effect on the Indian trade union movement. It gave a new status to labour organisation, and even unregistered unions were able to benefit from the greater confidence given to the movement as a whole.

[1] *Report of the Royal Commission on Labour in India*, 1931, p. 325.

Prevailing Type

The trade unions in India are of the industrial rather than of the craft type. This is partly due to the natural circumstances of the country, and partly to the fact that many of the unions have grown out of an attempt of the workers employed in a particular factory or industry to compel their employer to improve their conditions.

The only important exception is to be found in the textile mills at Ahmedabad, where an old craft tradition lives on from former days. Even here, however, the different craft unions catering for the millworkers have a common chairman and secretary.

On account of the size of India, and the great distance between the large industrial centres, the big, inclusive, trade union, such as is familiar in the West, is unlikely to develop. In the West we are accustomed to the " one big union " operating for each of the principal industries. But in India the most that can be expected in this direction is the federation of the local trade unions catering for a single industry.

One such federation already exists in the All-India Railwaymen's Trade Union Federation. It has demonstrated the advantage to workers in a particular industry of machinery providing for combined action.

Registration of Trade Union

Certain obligations are incurred by a trade union which seeks registration. A registered trade union, under the Indian Trade Unions Act, is required, amongst other things, to furnish audited accounts, and to have on its executive a majority of actual workers.

The activities permitted to a registered trade union are strangely and unnecessarily limited in their scope by the Act. A registered union, for example, is precluded from initiating and carrying on co-operative societies.

Yet, in view of conditions in India, this is a field of activities in which much good work could be done by workers' organisations. In this respect, as in certain other respects, the Act of 1926 needs amendment.

The obligations with regard to audit involve a charge on the slender funds of the smaller unions which it is very difficult for them to bear. They are compelled to have their accounts audited by auditors whose qualifications are prescribed by the Government. In this connection the Royal Commission on Labour in India in its Report recommends that all unions should be able to secure, free of charge, the conduct of their obligatory audit by officials of the Government. It points out that the provision of auditors for trade unions should cost little to the Government, whereas it would relieve registered trade unions of a considerable charge on their funds.

Unlike the trade union legislation in this country and in the Dominions, the Indian Trade Unions Act, as has been pointed out above, gives a legal position to the activities of registered trade unions only. Trade unions which, for one reason or another, have not or do not become registered, are still liable, even in the pursuit of their ordinary trade union activities, to civil suit or criminal prosecution. Since this is the case, it is most unfair that the registration of a union should carry with it obligations—such as the excessive cost of auditing—which may prevent a small union, however well conducted, from seeking registration.

Numbers

It is only possible to estimate very roughly the number of trade unions in India and their total membership. At the time of the split in the All-India Trade Union Congress in December 1927 there were fifty-one unions affiliated to it. The total membership claimed by these

affiliated unions was 190,436—although it should be pointed out that the membership claimed by one large union included in this total figure was unreliable.

The Labour Commission in their Report[1] put the number of unions at about a hundred and eighty, and the total membership of trade unions in India at about 120,000.

The number of trade unions in India which had applied for and received registration under the Indian Trade Unions Act up to March 31st, 1932, was 137. These " registered " trade unions had a membership of about 254,600.[2]

[1] *Report of the Royal Commission on Labour in India*, pp. 322-3.

[2] This figure does not include the membership of certain registered trade unions, the membership figures for which have not been returned.

Chapter XL

THE ROYAL COMMISSION ON LABOUR IN INDIA

Personnel

In the summer of 1929 the Government appointed a Commission under the chairmanship of Mr. J. H. Whitley, the former Speaker of the House of Commons, to investigate labour conditions in India. The Commission consisted of twelve members, six of whom were Indians. It included representatives of the interests both of employers and workers in India, as well as representatives of the British trade union movement.

The Commission began its work in Bombay in October 1929. In the course of its tour in the cold weather of 1929 it travelled the whole length of India. The Commission returned to London in June 1930, where it recorded further evidence. It visited India again in the cold weather of 1930, and this time proceeded to Burma, which had been omitted from its previous tour. Its Report[1] was prepared and signed by all the members of the Commission at Delhi in March 1931.

Migratory Industrialists

The Report consists of an extensive examination of every aspect of Indian industry and of India's industrial and labour conditions. It laid stress on the migratory character of India's factory population, and pointed out

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that few Indian industrial workers would remain in industry if they could secure sufficient food and clothing in the village. "They are pushed, not pulled, to the city," the Commission noted, and "the average factory worker, contrasting the scenes in which he has to live with his memories of his native place, must welcome every opportunity of returning there."

In special areas and for special purposes of course, as the Commission pointed out, the growth of a purely industrial population has been inevitable. And if a substantial improvement were secured in the conditions in the factory areas, it would encourage the growth of a definitely urban class of factory workers. But the Commission expressed their belief that at the present stage it was not advisable to discourage the connection of the majority of the workers in the industrial areas with their villages. It should be the aim rather to maintain and, so far as possible, to regularise the link with the village.

A Vicious Circle

Referring to the necessity for raising the standard of living of the workers, they remarked: "We are faced by two main facts, poverty and the low level of efficiency." Low efficiency might be ascribed in some measure to the climate of India and other factors, but a powerful influence was exercised everywhere by the low standard of living. Poverty led to bad conditions, bad conditions to inefficiency, and inefficiency to poverty. The recommendations of the Commission were designed to break this vicious circle at as many points as possible.

Housing Conditions

The Commission dealt with the appalling housing conditions in the factory areas. They were aware of the workers' present shortcomings in respect of sanitary habits; but they felt that little attempt had been made in

the past to assist them in reaching a higher standard. It had been suggested to them that the Indian worker was generally contented with his lot, and viewed with suspicion any attempt to improve his circumstances. But the keen competition which took place for any vacancy in the houses provided by employers indicated that the workers' desire for a sanitary and decent house and an improved standard of living was greater than was generally realised. They felt there could be no doubt that action was urgently necessary to counteract the serious effect on the health of the worker for which present conditions were responsible. " Evidence was not lacking that part of the labour unrest which has characterised industrial development during recent years is due to the realisation, however vague, on the part of the worker that his standard of living is too low and that he can never hope to raise that standard until his home provides him with a degree of comfort which is at present beyond his reach."

Indebtedness of Workers

They said that the belief—somewhat widely held—that workers have a fixed standard of living and that, having attained it, they cease to make further efforts, was fallacious. In raising the standard, though, one of the biggest problems was the state of chronic indebtedness amongst the workers. " We are satisfied," the Commission said, " that the majority of industrial workers are in debt for the greater part of their working lives. Many, indeed, are born in debt, and it evokes admiration and regret to find how commonly a son assumes responsibility for his father's debt, an obligation which rests on religious and social, but seldom on legal, sanctions. Many come to industry because they are in debt; some are enabled by industry to clear themselves, and a few then become moneylenders instead of money-borrowers. More often the debts remain and fresh obligations are

showed that even when wages are paid monthly "it is the exception for the worker to receive his wages at any time in the week following the end of the month." It was pointed out that "ten to fifteen days usually elapse before he gets his money, and it is not infrequent for the delay to exceed fifteen days. With shorter periods of payment than the month, there is generally less delay. Fortnightly wages are seldom retained for more than ten days, and are frequently paid in from three to five days. Weekly wages are hardly ever withheld for more than a week and may be paid very promptly."

The system of monthly payment was condemned. It was recommended that in the textile, engineering and metal industries, laws should require the payment of wages at intervals not exceeding sixteen days, and that the Government should be given power to extend this provision to other industries. The Commission urged the adoption by employers of a system of weekly payments. "Indebtedness," they said, "is a formidable question, but its magnitude enhances the importance of attacking it and increases the results to be secured by successful efforts . . . there is no need to dwell on the great advantages to Indian industry that would immediately accrue from even a small increase in the purchasing power of the masses."

Restriction of Drink Sales

They also emphasised the importance of protecting the worker against the drink evil. "It was possible," they said, "and in our opinion desirable, that efforts should be made in all industrial centres to reduce the number of drink shops and to restrict the hours during which liquor may be sold." They suggested that in all large cities and industrial areas a general policy should be adopted of restricting the facilities for the sale of liquor. The areas selected should be sufficiently wide to

incurred. It is estimated that in most industrial centres the proportion of families or individuals who are in debt is not less than two-thirds of the whole.

"We believe that in the great majority of cases the amount of debt exceeds three months' wages and is often far in excess of this amount. Rates of interest amounting to 150 per cent. or more a year are by no means uncommon. In a number of cases a stage is reached when the moneylender takes from the worker the whole of his wages, paying him only sufficient for subsistence, and even puts the members of the worker's family to work on a similar basis. . . ."

Recommendations

The Commission advised that all railway administrations in India should make persistent efforts to help their workers by means of co-operative credit. They also recommended that salaries and wages of less than Rs. 300 (£22 10s.) a month, should not be liable to attachment, and that arrest and imprisonment for debt, in the case of industrial workers drawing less than Rs. 100 (£7 10s.) a month, should be abolished. They expressed doubts as to the legality of the practice which obtains in India of attachment of future earnings. They proposed the enactment of legislation to provide for a summary procedure for the liquidation of workers' unsecured debts. Further, the besetting of an industrial establishment for the recovery of debts should be made illegal.

Payment of Wages in Arrear

Attention was drawn to the system of the payment of wages by the month as a contributory factor to workers' indebtedness. This system is common in practically all factories except the jute mills in Bengal and the cotton mills in Ahmedabad and Cawnpore. Here wages are either paid weekly or fortnightly. The Report also

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ensure the policy of restriction being effective. The hours of opening of the drink shops should be limited and should in no case include any part of the forenoon. The Commission noted with interest that in some areas of the United Provinces spirituous liquor could be supplied only in sealed bottles, a rule which, according to the Memorandum submitted to them by the Local Government, had resulted in reduced consumption. It was recommended that the possibility of a wide extension of this system should be examined.

Intermediaries

If the Indian worker suffers much at the hands of the moneylender, he suffers still more from the system commonly employed by the factories of engaging their workers through an intermediary. This intermediary is the "jobber." The temptations of his position are manifold and bribery is rampant. The Commission, in the case of all factories, advocated the exclusion of the "jobber" from the engagement and dismissal of labour.

The system of the engagement of labour through the "jobber" should be replaced by the appointment, wherever the scale of the factory permits, of a labour officer, who would be entirely responsible for the engagement and dismissal of workers. Where it was not possible to employ a whole-time labour officer, the manager or some responsible officer should perform this function. Where a substantial number of women are engaged, an educated woman should be appointed to supervise their conditions. The Commission also urged employers' associations, in co-operation with trade unions, to adopt a common policy to stamp out bribery.

Leave

While the practice of returning to the village is customary to-day, the system governing the engagement of

labour in the factory areas makes no provision for it. Few mills are willing to recognise a worker on his return as an old employee, and therefore there is little inducement for a worker to feel any loyalty to a particular mill. Believing the link between the factory worker and his village should be retained and regularised, the Commission recommended that workers should be encouraged to apply for definite periods of leave, and should go with a promise that on their return at the proper time they would be able to resume their old work.

Hours of Labour

With regard to the hours of labour, the Commission recommended that the present statutory limit of sixty hours should be reduced for regular factories to fifty-four. Three members of the Commission—Mr. Cliff, Mr. N. M. Joshi, and Diwan Chaman Lal—advocated the adoption of a forty-eight-hour week. They considered that climatic conditions alone dictated such a course. Their view was that the essential requirements of a worker in Indian conditions were first a statutory working day and second the provision of rest periods during the working day. They thought the institution of an eight-hour day in factories under present conditions was not only desirable, but both practicable and necessary. Another member of the Commission, Sir Victor Sassoon, a large employer of labour in India, on the other hand, was opposed to any reduction on the present sixty-hour week.

Children

The hours of work for children, the Commission recommended, should be limited to five a day, and there should be at least one rest period. Along with this question of hours, the Commission considered the suitability of the present age-limits for the employment of children.

Before 1922 children between the ages of nine and fourteen were allowed to work as half-timers. In 1922 the ages for half-timers were raised to twelve and fifteen years. But although children between the ages of twelve and fifteen years are allowed legally to work only half a day, the Commission noted the existence of a practice of employing children under different names and with different certificates in two factories on the same day. In 1926 the Legislative Assembly added a section to the Factories Act making it possible to prosecute a parent or guardian of a child so employed. "Special vigilance and the use of this section," said the Commission, "have combined to eliminate or greatly reduce the evil of the Ahmedabad cotton mills, where the practice was formerly prevalent. But similar action does not appear to have been taken in the Bengal jute mills. . . ." They recommended this matter to the attention of the Bengal Government and its officers.

Minimum Age

With the exception of four of its members, the Commission recommended no change in the minimum age of twelve for the employment of children. These four members, however, expressed the opinion that it should be raised forthwith to thirteen years. After this change the Government should reconsider the position with a view to bringing the minimum age of employment into conformity with the standard laid down in the International Labour Convention of 1921, namely fourteen years.

There was no difference of opinion as to the necessity for an adequate weekly rest period. There should be provision for a compulsory twenty-four hours' rest once a week, or, where that was not practicable, a forty-eight hours' break once a fortnight.

gross abuses of child labour which are common in these factories—the unhealthy conditions, corporal punishment, the long hours and low pay, and the system of parents pledging their children's labour.

A special Factories Act should be passed to secure some control over unregulated factories—that is factories not using power machinery but employing fifty or more persons during any part of the year. The Act should provide that the minimum age for children employed in these factories should be not less than ten years, and that the hours worked by child workers between the ages of ten and fourteen should be regulated. The Act should also provide for a weekly day of rest in these factories, and should empower Local Governments to extend its provisions to unregulated factories employing less than fifty persons.

With regard to the system of the pledging by parents of children's labour, the Commission said: "The system is indefensible. It is worse than the system of indentured labour, for the indentured labourer is, when he enters on the contract, a free agent, while the child is not. The State would be justified in adopting strong measures to eradicate this evil. The giving of advances to secure the labour of children, and the execution of bonds pledging such labour, could both be made criminal offences. But as there may be other questions of policy to be taken into account, we commend the proposal for examination by the Government. In any case we recommend that a bond pledging the labour of any person under the age of fifteen years, executed for or on account of the receipt of any consideration, should be void."

Many recommendations were made to secure improvement in the conditions of the workers in the mines and on the oil-fields in Burma. There is at present no statutory regulation of rest days, hours, health and safety on the oil-fields in Burma.

Mines

The Commission as a whole made no proposal to alter the present statutory week in the mines of fifty-four hours below ground. On the other hand, they recommended that the weekly hours for workers above ground should be limited to fifty-four. Also the present minimum age for children working in or about the mines should be raised from thirteen to fourteen years. Three members of the Commission, however, Mr. Cliff, Mr. Joshi, and Diwan Chaman Lal, pointed out that, in spite of the fifty-four-hour week, it was still permissible to work twelve-hour shifts. They said that although the weekly limit in two countries was higher, in no other country in the world was a twelve-hour shift underground permissible. From every point of view they considered it desirable that the present daily limit should be reduced to eight hours underground.

The Commission's Report noted the fact that the regulations made under the Indian Mines Act so far had related only to safety matters. There was need for increasing the supervision and regulation of other conditions in and about the mines. Considering the number and distribution of mines in India, the number of Staff Inspectors employed was shown to be small. To ensure adequate inspection, both in regard to safety and welfare conditions, the number of Mines Inspectors should be increased.

Transport Services

The Commission made a number of recommendations with regard to employment on the railways. They suggested the adoption of a system of selection boards or committees, which should be used on all railways for both recruitment and promotion. It was also observed that a more generous policy should be followed in respect

of the recognition of trade unions by the railway administrations, and it was suggested that certain facilities and privileges should be granted to union officers and members engaged in promoting organisation. For the workers in the docks a nine-hour day was prescribed.

On the subject of employment and wages, the Commission said that policy should be shaped with the object of substituting so far as possible the regular for the irregular worker. The Report made proposals for investigations to be carried out with a view to the establishment of minimum wage-fixing machinery. In the meantime, it said, every effort should be made to put into operation a policy of standardised wages in the Bombay cotton mills. The possibilities of a similar standardisation for wage rates in the jute industry, also, should be explored by the employers in conjunction with the representatives of the Trade Unions. The practice, common in certain industries, of making deductions from wages and fining workers should be prevented by legislative enactment.

Workmen's Compensation Act

The Workmen's Compensation Act—which at present includes only workers in more or less organised industries whose occupations are hazardous—should be extended to cover all workers in organised industry. Further, the Commission advised its gradual extension to workers in less organised employment. Detailed proposals were also made for the improvement of the working of the present Act.

Trade Unions

In a separate chapter on the position of the trade unions, the Commission recommended that the Government should give the lead in making the recognition of unions easy and in encouraging registration. They stated that

recognition should mean that a union had the right to negotiate with the employer in respect of matters affecting either the common or individual interests of its members. The fact that a union consisted of a minority only of employees, or the existence of rival unions, were not sufficient grounds for refusing recognition. In certain respects the existing Trade Unions Act should be amended.

Trade Disputes

It was pointed out that, although political unrest had an important influence at times on industrial strife, non-industrial causes played a smaller part in strikes in India than was generally supposed. Collaboration between the employer and the trade unions in the formation and working of Works Committees was advocated by the Commission. They also said that the establishment of some permanent statutory machinery to deal with trade disputes should be considered before the expiry in 1934 of the Trade Disputes Act of 1927. In the meantime the Government should utilise their power to establish boards or courts of conciliation or arbitration when they believed such action would be useful.

Labour and the Constitution

In a concluding chapter on Labour and the Constitution the Commission emphasised the necessity for safeguarding the position of labour. They expressed the view that legislative powers in respect of labour should continue in the Central Legislature. They recognised that the Provinces should have powers to legislate in certain respects, but these powers should not be allowed to impair or infringe the legislation of the centre or its administration.

In making this recommendation in favour of labour legislation being retained as a centralised subject, the Commission said it " is put forward with the conviction

that the future of labour in the next generation is largely bound up with it, and that if political considerations stand in the way, the price to be paid will be heavy."

Further, if special constituencies were to remain a feature of the Indian constitution, it was necessary that labour should be given adequate representation in both the Central and Provincial Legislatures. The method which was most likely to be effective in securing the best representatives of labour was that of election by registered trade unions. A special tribunal should be set up in each Province to determine before election the weight which should be given to each registered trade union.

Industrial Council

A proposal was also made by the Commission that in the framework of the future constitution provision should be made for an industrial council. This industrial council would enable representatives of employers and of labour and of Governments to meet regularly to discuss labour measures and labour policy. It would examine and initiate proposals for labour legislation, provide an opportunity for an interchange of information regarding experiments in labour matters, and advise the Central and Provincial Governments in matters such as the framing of rules and regulations.

Indian States

The Commission drew attention to the necessity for the Indian States being brought into line with British India in the matter of labour legislation. They pointed out that "even the closest co-operation between the Provinces was insufficient. So long as there exist side by side areas in which legislation is comparatively backward, there will be handicaps to progress in the rest of India. There are therefore good grounds for making labour legislation, partly at any rate, a federal subject."

If federal legislation was not practicable, efforts should be directed to securing that, as early as possible, the whole of India participated in making progress in labour matters. It was suggested that with States in which there had been appreciable industrial development, the Industrial Council proposed by the Commission should offer a suitable channel for co-operation.

Chapter XLI

A CHAPTER OF STATISTICS

Area

The area of India extends to some 1,800,000 square miles. In other words, it is about the same size as Europe, if we exclude Russia, or about half the size of the United States. This area is not all governed directly by Great Britain and the Government of India. Indian States, with their own Rulers, comprise about 40 per cent. of the area (or about 50 per cent. if we exclude Burma).

British India

British India is divided into Provinces, generally with a Governor, Executive Councillors, Ministers and Legislative Council. Such are—Madras, Bombay, Bengal, United Provinces, Punjab, Bihar and Orissa, Central Provinces, Assam and Burma. The North-West Frontier Province until this year (1932) has been separate and directly governed by a Commissioner under the Government of India. It is now a separate Province with its own Lieutenant-Governor and Legislative Council. Delhi and Ajmere-Merwara are still separate and each governed by a Commissioner directly under the Government of India.

Indian States

The Indian States number between six and seven hundred and vary in size from a comparatively few acres

to areas considerably larger than England. They are governed by Indian Rulers with varying powers and authority.

Population

According to the 1931 Census the population of the whole of India amounted to 351,450,689. Of this total the Indian States accounted for 80,838,527, or nearly one-quarter. The population in British India was 270,612,162. Between the previous Census in 1921 and the last Census in 1931 the increase of population amounted to 10·2 per cent. for the whole of India and to 12·3 per cent. for the Indian States, as compared with 1·2 per cent. and 1 per cent. respectively for the previous ten years 1911 to 1921. The actual population figures for 1921 were 318,942,480 for the whole of India and 71,939,187 for the Indian States.

Villages

India is essentially an agricultural country and a land of villages. When the 1921 Census was taken there were 498,627 villages in British India and 187,138 in the Indian States. The 1931 Census returns showed the total urban population of India (including the Indian States) to be 27,357,800, whereas the total rural population numbered 227,597,673.

Towns

There are only 31 towns in British India (including Burma) and 7 towns in the Indian States with a population of 100,000 or over. At the time of the 1921 Census there were only 43 in British India and 12 in the Indian States with a population between 50,000 and 100,000. On the other hand, there were 364,138 villages in British India and 152,898 villages in the Indian States with a population of less than 500.

Pastoral and Agricultural

This 1921 Census showed that in Pastoral and Agricultural Occupations there were 104,943,712 actual workers, of whom 71,526,809 were male and 33,416,903 were female. By their work, according to the returns, they supported no fewer than 229,045,019 people.

Village System

The village was the unit of government in ancient India. It was ruled by a Panchayat (Council) elected by the villagers. This system was destroyed by us and instead of an elected Council we appointed and paid a headman who was responsible to Government for the collection of taxes. Instead of the elected servant of the people, he became the village tyrant—and the whole village system as it had existed for thousands of years was changed for the worse.

Co-operative Movement

A Co-operative Act was passed in 1912 which made it possible for co-operative societies of every kind and with every object to be started in India. Under the Reforms Co-operation became a " transferred " subject. But all Provinces, except Bombay, where a new and improved Co-operative Act has been introduced, are still working under the 1912 Act.

Since the Reforms, Co-operation, as a " transferred " subject, has been dealt with in each Province by the Provincial Legislative Council. Its administrative side is guided by a Minister responsible to the Council, and funds required from the public purse for co-operative purposes are voted by the Provincial Councils out of what remains in the Budget for votable " transferred " subjects.

The co-operative movement in India began with simple credit societies and until 1920 may be said to have consisted solely of societies connected with agriculture. To feed these societies, however, and partly to guide and supervise them, there was later instituted a system of Co-operative District and, finally, Provincial Central Banks. The institution of urban credit societies commenced in Bombay in 1920 and the example set by Bombay has been followed with considerable success in Madras, Burma and Bengal.

The number of societies in India grew in the twelve years 1916-17 to 1928-9 from 21,737 to 100,150; and, during the same period, loans issued by these societies increased from £15,837,918 to £33,429,950.

In 1929-30, the latest year for which figures are available, the number of co-operative societies increased to 104,187.

In 1929-30 there were over 3½ million members of co-operative societies in British India, the highest proportion of members per 1,000 of the inhabitants being found in the Punjab, where it was 644,941, or more than 31·2 of the inhabitants of the Province. The next highest proportion was found in Bombay, with 29·2 per thousand inhabitants, followed by Madras with 23·0, Bengal with 15·2, Assam with 8·7, Bihar and Orissa with 7·7, and Burma with 7·5.

The working capital within the movement in British India amounted in 1929-30 to £61,445,775—the largest share of this total being held by movements in the Punjab, Madras, Bombay and Bengal. The amount of working capital per head of the population was largest in the Punjab, Bombay coming next.

Railways

The railway system of India is State-controlled and to a great extent State-owned. It covers some 42,687 miles.

Of this total nearly 90 per cent., amounting to 38,383 miles, are State-owned. The State directly manages over 40 per cent , amounting to 17,692 miles.

One has only to think of Great Britain and Ireland—which in area could be lost in a corner of India—with their 24,000 miles of railway, to realise that railway development in India is yet in its infancy. Increase in mileage and railway facilities are urgently required and will undoubtedly help enormously India's staple industry, agriculture.

Population of Large Towns

The largest town in point of population is Calcutta, the capital of Bengal. The figures at the 1931 Census amounted to 1,383,898. Calcutta is followed pretty closely by Bombay with a population of 1,157,851, whilst Madras, the next town in importance, has only 647,225, and Delhi, the capital, 439,736.

Density of Population

The density of population in 1921 was greatest in Bombay with 48,996 persons per square mile, whilst for Calcutta the corresponding numbers were 21,412 and for Madras 18,169. Hyderabad, the largest town in an Indian State, and the capital of the Indian State of that name, has a population of 377,006. The corresponding figures of density of population in the 1931 Census are not yet available.

At the time of the 1921 Census, mining, industry and commerce occupied 26,092,507 and supported 56,154,745 persons in India.

The Hindus and Mussalmans together account for about 316 millions of the 351 millions of inhabitants of India, or about 90 per cent. of the total population. The percentages are much the same, both in British India and the Indian States.

Hindus

In the whole of India the Hindus number 238,330,912, or approximately 66 per cent. of the total population. In the Indian States they number 61,396,377, or approximately 78 per cent. of the population of these States. In British India they number 176,934,435, or 65½ per cent. of the total population of British India.

Mussulmans

The next in importance are the Mussulmans, who number 77,743,928, or 22·1 per cent. of the total population. In the Indian States they number 10,658,419, or 13 per cent. of the population. In British India they number 67,085,510, or 24·7 per cent. of the total population of British India.

Buddhists

In the whole of India, including Burma, in 1931 the Buddhists numbered 12,786,806, or over 3 per cent. of the total population. All except a very small proportion of these Buddhists live in Burma. The numbers are in Burma 12,348,037, or something like 80 per cent. of the population.

Christians

The Christians number for the whole of India 5,961,794 of the population, or 1·7 per cent. In British India their numbers are 3,531,703, or 1·3 per cent. of the population. It is interesting to note that their percentage is higher in the Indian States, being 2·9, though their numbers are only 2,430,091.

Sikhs

The Sikhs number for the whole of India 4,306,442, or 1·2 per cent. of the population. Their percentages as

between British India and the Indian States are much the same, being 1·17 in the former and 1·3 in the latter. In the former their numbers are 3,192,169; in the latter 1,114,273.

Jains

The Jains number for the whole of India only 1,205,135. They are to be found rather in the Indian States than in British India. In the former they number 796,613, and in the latter 408,622.

Parsis

Though the Parsis do not exceed 106,978 in number for the whole of India—in British India 91,742, and in the Indian States 15,231—they exercise an influence quite out of proportion to these figures.

Languages Spoken

It is commonly said that India is a land of many languages. The Census Report of 1921[1] records 222 languages spoken, but the main languages are 12 in number only. In the order of their numerical importance the 12 are as follows:

Hindi is spoken by 96,714,369 people, chiefly in the Centre and North of India; Bengali is spoken by 49,294,099, chiefly in Bengal; Telugu is spoken by 23,601,492, chiefly in Madras and Southern India; Marathi is spoken by 18,797,831, chiefly in Bombay; Tamil is spoken by 18,779,577, chiefly in Madras and Southern India; Punjabi is spoken by 16,233,596, chiefly in the Punjab and Northern part of India; Rajasthani is spoken by 12,680,562, chiefly in Rajputana

[1] The Census Report for 1931 will not be published till the end of 1932.

and Central India; Kanarese is spoken by 10,374,204, chiefly in Mysore; Oriya is spoken by 10,143,165, chiefly in Bihar and Orissa; Gujarati is spoken by 9,551,992, chiefly in Bombay; Burmese is spoken by 8,423,256, chiefly in Burma; Malayalam is spoken by 7,497,638, chiefly in Malabar.

Literacy

According to the 1921 Census Returns,[1] the number of literate persons in British India was just over 22 millions, amounting to 8·2 per cent. of the population. This represented 13·9 per cent. amongst men and 2·1 amongst women.

Amongst Hindus, 1 out of every 13 was literate. For men the ratio was 1 in 9, and for women 1 in 63. Literacy amongst Mussulmans was at a slightly lower figure so far as the men were concerned, but at a very low figure for their women. One man out of every 11 was literate, but amongst the women only 1 literate was to be found in every 116.

Parsis, Christians and Buddhists have a very much higher proportion of literacy, and of the Hindus themselves the Brahmanas (who include the priests) are far ahead of the other castes from this standpoint.

In the whole of India, only 2½ million Indians could read and write in English in 1921.[1]

It ought to be remembered, however, that illiteracy does not mean ignorance. Although large numbers are illiterate, they are by no means unintelligent, as was pointed out by Lord Lytton, just before he retired from the Governorship of Bengal a few years ago.

Life Period and Infant Mortality

The average life-period of a man in India is 23·5 years, as compared with over 50 years in England. This is due

[1] The figures for the 1931 Census are not yet available (June 1932).

to the enormous death-rate of infants during the first year. In Bombay, in the parts where factory workers live, the death-rate for infants has at times reached 800 per 1,000 as compared with 75 in England and Wales. The infantile death-rate for all India was in 1927 166·93 and in 1928 172·94 per thousand.

Chapter XLII

CONCLUSION

Difficulties

That there are difficulties with regard to the government of India and especially in connection with the handing over to Indians of the administration of their own country no one will deny. India is not one problem: it presents a whole series of problems. But the difficulties in our path should not make us shirk them. Difficulties, as Epictetus said, are things that show what men are. Indians, no less than we, realise the obstacles to be overcome. Indeed, they are more conscious of them than we can be, as they have to live amongst them.

The Ideal

We are all agreed that the ideal to be aimed at is the government of India by Indians and of Burma by the Burmans. We must be prepared to take risks for this—just as we are prepared, to a lesser degree, to take risks for our financial interests in India. Unless Indians and Burmans can see the possibility of shaping their own destinies, free from our leading-strings, and in a reasonable period of time, there is nothing before us but agitation culminating in revolution. With the lesson of America one hundred and fifty years ago before us; with the lesson of Ireland in our own time; are we wise enough, are we generous enough, are we statesmen enough to give while there is yet time, or must we try to hold on until we lose everything, even respect?

Safeguards

We constantly harp on the necessity of having "safeguards" in any proposed constitution for India, but we have now come to the point at which we have admitted that these safeguards must be such as are necessary in the interests of India.[1] After all, Indians themselves know what safeguards are best and most necessary. It is they and not we who will have to live under the new constitution. No constitution is perfect, and India's new constitution, whether imposed by us or drawn up by us in consultation with Indians or framed by Indians themselves, will have its faults. These will be found out in practice and will be amended.

Perfect Constitution Impossible

Benjamin Franklin, when he signed the newly framed American Constitution, said: "I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them. For having lived long, I have experienced many instances of being obliged by better information or fuller consideration to change opinions even on important subjects, which I once thought right, but found to be otherwise. It is, therefore, that the older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others. . . . I doubt . . . whether any other Convention we can obtain may be able to make a better Constitution. . . . Can a perfected production be expected? I think it will astonish our enemies, who are waiting with confidence to hear that our councils are confounded, like those of the builders of Babel. . . . The opinions I have had of its errors, I sacrifice to the public good. I have never whispered a syllable of them abroad. Within these walls they were born and here they shall die. If every one of us, returning

[1] See p. 204.

unto our constituents, were to report the objections he had to it, and endeavour to gain partisans in support of them, we might prevent its being generally received, and thereby lose all the salutary effects and great advantages resulting naturally in our favour amongst foreign nations as well as amongst ourselves from our real or apparent unanimity. . . . I hope, therefore, that for our own sakes, as a part of the people, and for the sake of posterity, we shall act heartily and unanimously in recommending this Constitution . . . wherever our influence may extend, and turn our future thoughts and endeavours to the means of having it well administered."

Indian Rulers and Statesmen

Before the coming of the British Raj, Indians had occupied with distinction all the offices of State in governments in their own country. They have, in the past, ruled kingdoms and empires. The names of Asoka and Akbar are still world renowned as great rulers.

To this day Indian Princes rule Indian States, some of them much larger than Great Britain, and extending in all to about one-third of the Indian peninsula. So far, however, under the British Raj, only one Indian[1] has been appointed as Governor of a Province in British India. It cannot be said that Indians are unequal to the task, as in British India at present we have Indians who can and do shine amongst the statesmen of the British Commonwealth of Nations. Indians are now appointed to the highest offices in the Government of India and to the Viceroy's Cabinet. It is only right that the office of Governor or Lieutenant-Governor of an Indian Province should be held by an Indian, instead of, as so often in the past, by British politicians, many of whom can by no stretch of imagination be described as first class, or by members of the Indian Civil Service.

[1] Lord Sinha, Lieut.-Governor of Bihar and Orissa, 1920-1921.

Britain's Pledges

Great Britain is pledged up to the hilt by her Sovereigns and her various Governments to prepare India for self-government and to hand over the government to her own nationals at the earliest possible moment.

The Tide of Nationalism

Indians of all shades of opinion and of all religions and castes feel—as did the Irish—that they are being deprived of their manhood, their birthright and their nationhood, by us, not in their interests but for our own selfish ends. Some of us believe in freedom and self-determination so ardently that, by *trying to put ourselves in Indian shoes* and to see through Indian eyes, we feel that the time has come when, the more we try to stem the tide of nationalism, the greater will be the destruction when the bursting of the barriers takes place, as it must before long.

Indian Unanimity Misrepresented

In the interests of peace, for the sake of our own good faith, have we the courage to face the inevitable and give to India that freedom she so ardently desires, before we are compelled to yield to force what we deny to reason?

India showed an amount of unanimity that astonished the world in the production of the All-Parties Conference Report. It was to a great extent ignored or misrepresented in the British Press and by the "sun-dried bureaucrats," who write in that Press of an India they knew *ten, twenty, or more years ago—an India as unlike India* to-day as chalk is to cheese.

No Whittling Away of Pledges

It is not without significance that *The Pioneer* of Allahabad, that journal which for generations has upheld the British régime in India, wrote in a leading article: "*The*

Pioneer has been criticised, and criticised severely, for its support of India's legitimate aspirations. Our position is a simple one. We stand or fall by British pledges, and as long as moderate Indian opinion recognises loyalty to the Crown, and the inherent implications in the claim to be a member of the British Commonwealth, so long will *The Pioneer* support all rational attempts to achieve this aim. At the same time, it must be realised that there can be on the part of the British administrator and the British citizen in India, no whittling away of solemn pledges, no departure from the promises of his Sovereigns.

"There can be no attempt, either overt or covert, to frustrate India's legitimate aspirations by any branch of the Services, by any upholders of the old régime, or by any who entertain antiquated ideas of imperialism, and who look upon India as a happy hunting-ground for the white man. Any attempt to set back the hands of the clock, or to restrain and subdue rational advance and manifestation of evolution, must be fearlessly denounced. Such actions and such measures, whoever is responsible for them, are the work of those who would betray Great Britain's honest purpose.

Constitutional Common Sense

"It has been necessary, in the past, to expose some attempts at retrogression; it may be necessary in the future to draw up similar indictments, but it is to be hoped that after this recent manifestation of moderation, constitutional common sense, and essential loyalty (the All-Parties' Report), even the most hardened 'die-hard' will recognise that it his duty to work with and not against these Indian elements. If in giving the lead to public opinion along these lines, if by constantly reminding British citizens at home and abroad of their duty, and if in so reminding them, we have managed to recall to the Englishmen their obligations and to Indians the fact

that there does exist among some members of the Commonwealth to which they would on equality aspire, a sympathy for their ideals, and a genuine desire to help them along their path of progress, *The Pioneer* will rest content in having achieved one of the elementary duties of a newspaper."

The Man on the Spot

The "man on the spot" is being constantly recommended to us as the one most able to judge fairly and accurately and as the one whose advice and guidance we should follow. Here is the testimony of the "man on the spot." Are we ready to accept it and act on it? Never was the scriptural injunction "Give and ye shall receive" more apt. The time for holding on is past. India has had a wonderful past and it is in our power to help her, freely, voluntarily, and wholeheartedly, to a still more wonderful future. In the path we follow lies the destiny not only of India but of Britain.

Government by Ordinances

India at the time of writing is being governed by Ordinances; that is to say, the ordinary law of the land is practically suspended. How long can this go on? What is the next step? Tens of thousands of Indians—including many of the leaders of Indian opinion—are in prison to-day because of their desire to achieve that self-determination for which the Great War was fought. For how long can it be denied to them? Indians have to live under the Government of India and Indians are best fitted to say what that Government should be. To impose a Government, or to impose peace on a great country by force, is but to put off the day, which must come sooner or later, when that country must be governed by the consent of her own people.

Conclusion

I should like to conclude with the words written by that profound student of Eastern lore and lover of India, Max Muller: "If I were to look over the whole world to find out the country most richly endowed with all the wealth, power and beauty that nature can bestow—in some parts a very paradise on earth—I should point to India. If I were asked under what sky the human mind has most fully developed some of its choicest gifts, has most deeply pondered on the greatest problems of life, and has found solutions of some of them which will deserve the attention even of those who have studied Plato and Kant—I should point to India. And if I were to ask myself from what literature we here in Europe, we who have been nurtured almost exclusively on the thoughts of Greeks and Romans, and of one Semitic race, the Jewish, may draw that corrective which is most wanted in order to make our inner life more perfect, more comprehensive, more universal, in fact, more truly human, a life not for this life only, but a transfigured and eternal life—again I should point to India."

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